

DIVORCE BOOK

Liber No 4

16 X $11\frac{1}{2}$

5 POST

17x Sub 32

Square Corners

DIVORCE BOOK

Liber No 4

16 X $11\frac{1}{2}$

5 POST

17x Sub 32

Square Corners

Decree of Divorce : IN THE CIRCUIT COURT
 JESSIE M. WALKER : FOR
 vs. : CARROLL COUNTY
 EDNA JEAN WALKER : IN EQUITY NO. 6987 11253

This cause standing ready for hearing and being duly submitted, testimony having been taken in open Court, the proceedings were by the Court read and considered.

It is thereupon, this 19th day of February Anno Domini, one thousand nine hundred and sixty-eight by the Circuit Court for Carroll County, in Equity, Adjudged, Ordered and Decreed, that the said JESSIE M. WALKER the above named complainant be, and he is hereby DIVORCED A VINCULO MATRIMONII from the Defendant EDNA JEAN WALKER.

AND IT IS FURTHER ORDERED that the said Edna Jean Walker be and she is hereby awarded the care, custody and guardianship of the minor child of said marriage; namely, Deborah Ann Walker.

AND IT IS FURTHER ORDERED that the said Jessie M. Walker shall pay to the said Edna Jean Walker the sum of Twenty (\$20.00) Dollars per week, per child for the support and maintenance of Deborah Ann Walker. The first said payment to be due as of the date of this Decree.

And it is further Ordered, that the said Complainant pay the cost of this proceeding.


 Judge

I, CHARLES C. CONAWAY, Clerk of the Circuit Court for Carroll County, do hereby certify that the above is a true copy of the decree taken from the record of proceedings in said cause. In Testimony Whereof, I hereunto set my hand and affix the seal of the said Court, this 19 day of February, 1968.


 Clerk Circuit for Carroll County

Filed - Feb 19, 1968

KATHRYN S. GORDON * IN THE CIRCUIT COURT
 vs. * FOR CARROLL COUNTY
 SAMUEL H. GORDON * In Equity 11186/20/205

* * * * *

DECREE OF DIVORCE

This cause having come on for hearing in open court on February 2, 1968 before the Honorable Edward O. Weant on the Amended Bill of Complaint of the Plaintiff for a divorce A Vinculo Matrimonii, testimony heard and considered; it is this 9th day of February, 1968 by the Circuit Court of Carroll County,

ADJUDGED, ORDERED AND DECREED that the Plaintiff, KATHRYN S. GORDON, be and she is hereby divorced A Vinculo Matrimonii from the Defendant, SAMUEL H. GORDON, and

IT IS FURTHER ORDERED that the Agreement by and between the parties dated August 24, 1967 be and it is hereby adopted and approved and incorporated in this Decree by reference and in accordance therewith no right to alimony shall accrue to the said Plaintiff by reason of her express waiver thereof in Paragraph 5 of said agreement and,

IT IS FURTHER ORDERED that the said Defendant pay the court costs of this cause.


 JUDGE

LAW OFFICES
 Howard Calvert Bregel
 Calvert Ross Bregel
 BALTIMORE, MD.

Filed - Feb. 13, 1968

JAMES MELVIN CRITES, JR.	*	IN THE
	*	
Plaintiff	*	CIRCUIT COURT
	*	
vs.	*	FOR
	*	
JOYCE SUE CRITES	*	CARROLL COUNTY
	*	
Defendant	*	Equity No. 11327

DECREE OF DIVORCE

The Bill of Complaint and Answer to Bill of Complaint having come on for hearing on March 1, 1968, Plaintiff having appeared, and evidence having been taken in Court, it is this 1st day of March, 1968, by the Circuit Court for Carroll County, in Equity, ORDERED, ADJUDGED and DECREED that the said James Melvin Crites, Jr., the above named Plaintiff, be and he is hereby divorced a vinculo matrimonii from the Defendant, Joyce Sue Crites.

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Agreement between the parties dated November 28, 1964, an executed copy thereof having been filed in these proceedings, be and the same is hereby approved.

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that Plaintiff pay the costs of this action.

E. O. Weant, Jr.
 E. O. WEANT, JR., Judge

Filed March 1, 1968

GERALD H. D. WAREHIME	:	No. 11263 Equity
Plaintiff	:	In the
	:	
vs	:	Circuit Court
	:	
JOAN IRENE WAREHIME	:	for
	:	
Defendant	:	Carroll County

DECREE OF DIVORCE

This cause standing ready for hearing, testimony having been heard in open court, and being submitted,

It is thereupon, this 1st day of March, 1968, by the Circuit Court for Carroll County, ADJUDGED, ORDERED and DECREED that the said Gerald H. D. Warehime, the above-named Plaintiff, be and he is hereby divorced a vinculo matrimonii from the Defendant, Joan Irene Warehime.

And it is further ORDERED, that the Defendant, Joan Irene Warehime, shall have the guardianship and custody of Dennis G. Warehime, Michael E. Warehime, Steven D. Warehime, Craig A. Warehime and Timothy J. Warehime, the minor children of the parties in this proceeding; and that the said Plaintiff, Gerald H. D. Warehime, shall pay directly to the Defendant, the sum of Forty (\$40.00) Dollars per week for the maintenance and support of the said children, and reasonable medical expenses, accounting from the date of this Decree; with the right of the Plaintiff to visit the children at all reasonable times and hours, subject to the further order of this Court.

And it is further ORDERED that the said Plaintiff pay the costs of this proceeding.

E. O. Weant, Jr.
 Judge

Filed March 1, 1968

BARBARA O. CUMBERLAND	:	No. 11284 Equity
Plaintiff	:	In the
vs	:	Circuit Court
ROBERT P. CUMBERLAND, JR.	:	for
Defendant	:	Carroll County

DECREE OF DIVORCE

This cause standing ready for hearing, testimony having been heard in open court, and being submitted.

It is thereupon, this 1st day of March, 1968, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the said Barbara O. Cumberland, the above-named Plaintiff, be and she is hereby divorced a vinculo matrimonii from the Defendant, Robert P. Cumberland, Jr. And, it is further ORDERED, that the Plaintiff,

Barbara O. Cumberland, shall have the guardianship and

custody of Barbara Lynn Cumberland, the minor child of the parties in this proceeding; and that the said Defendant, Robert P. Cumberland, Jr., shall pay directly to the Plaintiff,

the sum of Twenty-five (\$25.00) Dollars per week for the maintenance and support of the said child, accounting from the date of this Decree; with the right of the Defendant to visit the child at all reasonable times and hours, subject to the further order of this Court.

And it is further ORDERED that the said Defendant pay the costs of this proceeding.

E. O. Weant, Jr.
Judge

Filed March 1, 1968

GERTRUDE E. SCHROEDER	:	NO. 11270 EQUITY
Plaintiff	:	IN THE
vs	:	CIRCUIT COURT
JAMES L. SCHROEDER, JR.	:	FOR
Defendant	:	CARROLL COUNTY

DECREE

By the Bill of Complaint filed in this cause, the Plaintiff seeks a divorce a vinculo matrimonii from the Defendant on the ground of abandonment and also seeks custody of the three infant children of the parties and support for said children.

The Defendant, whose address is unknown, was proceeded against as a nonresident and an Order of Publication was duly published in The Democratic Advocate, a newspaper published in this County, for four

successive weeks. On January 24, 1968, a decree pro confesso was passed.

Upon receiving testimony in open Court, it appears that the Defendant did abandon his wife and children and that the Plaintiff is entitled to a divorce a vinculo matrimonii and to the custody and guardianship of the infant children and support for said children.

It is therefore this 1st day of March, 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff be, and she is hereby, divorced a vinculo matrimonii from the Defendant, James L. Schroeder, Jr.; and it is further ADJUDGED, ORDERED AND DECREED that the Plaintiff, Gertrude E. Schroeder, be, and she is hereby awarded the permanent custody and guardianship of the infant children of the parties, namely, Loretta Sue Schroeder, Marion J. T. Schroeder, and Janet Lee Schroeder, subject to the further order of this Court. And it is further ORDERED that the Defendant pay the sum of \$10.00 per week for the support, maintenance and education of each of the infant children of the parties until each child

reaches the age of twenty-one (21) years, dies, marries or becomes self-supporting, whichever shall first occur. And it is further ORDERED that the Plaintiff, Gertrude E. Schroeder, pay the costs of this proceeding as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

FRANCES MARIE RUPPERT
69 West Main Street
Westminster, Maryland

Plaintiff

vs

WILLIAM D. RUPPERT
George Street
Westminster, Maryland

Defendant

NO. 11287 EQUITY

IN THE

CIRCUIT COURT

FOR

CARROLL COUNTY

DECREE

This matter came on for a hearing on February 2, 1968, a decree pro confesso having been taken against the Defendant who, although duly summoned, neither answered nor appeared. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this ^{1st} day of ^{March} February, 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Frances Marie Ruppert, be, and she is hereby, divorced a vinculo matrimonii from the Defendant, William D. Ruppert; and it is further ORDERED that the Plaintiff, Frances Marie Ruppert, pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

Filed March 1, 1968

IN THE CIRCUIT COURT FOR CARROLL COUNTY

Melvin H. Davis, Jr.
325 Davis Road
Westminster, Maryland

Plaintiff

vs.

No. 11280 Equity

Lillie Maye Davis
43 East Baltimore Street
Taneytown, Maryland

Defendant

DECREE OF DIVORCE

This cause standing ready for hearing and having been heard and considered.

It is thereupon this ^{4th} day of March, 1968, by the Circuit Court for Carroll County adjudged, ordered and decreed that the above named Plaintiff, Melvin H. Davis, Jr., be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Lillie Maye Davis, unless cause to the contrary be shown on or before 30 days from the date hereof.

And it is further adjudged, ordered and decreed that the Plaintiff, Melvin H. Davis, Jr., pay the costs of these proceedings.

E. O. Weant, Jr.
Judge

Filed March 4, 1968

GERALD E. KILLETT :
 Sykesville :
 Carroll County, Maryland :
 Complainant :
 vs. :
 ELIZABETH R. KILLETT :
 Route # 3 :
 Kalaronia Road :
 Sykesville, Maryland :
 Respondent :

IN THE
 CIRCUIT COURT
 FOR
 CARROLL COUNTY
 Case No. 11324 In Equity

* * * * *

DECREE OF DIVORCE

This cause standing ready for hearing and having been heard and considered.

It is thereupon, this 8th day of March, 1968, by the Circuit Court for Carroll County ADJUDGED, ORDERED and DECREED that the above named Complainant, Gerald E. Killelt, be and he is hereby divorced "A VINCULO MATRIMONII" from the Respondent, Elizabeth R. Killelt;

That custody of the minor child is hereby awarded to the Respondent, Elizabeth R. Killelt, and that the Complainant pay unto the Respondent the sum of Fifteen Dollars (\$15.00) per week for the support of the minor child, John Edward Killelt.

And it is further ADJUDGED, ORDERED and DECREED that the Complainant, Gerald E. Killelt, pay the costs of these proceedings.

[Signature]
 Judge

STATE OF MARYLAND, CARROLL COUNTY, to wit:

I hereby certify that the foregoing is a true copy taken from the Original Decree of Divorce filed March , 1968. In testimony whereof, I hereto set my hand and affix the seal of the Circuit Court for Carroll County this day of March, 1968.

Clerk of Circuit Court for Carroll County

Filed - March 8, 1968

ANTONIO PALMONARI, :
 Complainant, :
 "v" :
 WANDA S. PALMONARI, :
 Defendant. :

NO. 11272 EQUITY
 IN THE
 CIRCUIT COURT
 FOR
 CARROLL COUNTY

OPINION AND DECREE

The Bill of Complaint filed herein on behalf of Antonio Palmonari seeks a divorce from Wanda S. Palmonari on the ground of adultery. He seeks also the custody of their adopted child, Dale Vincent Palmonari.

The proof presented on behalf of the Complainant is more than ample to establish adultery on the part of the Respondent. The disposition on the part of the Respondent and the paramour to commit adultery and the opportunity to commit the offense both have been amply proven by the testimony as required by the various decisions of the Court of Appeals.

We, therefore, have no difficulty in finding that the divorce should be granted as prayed.

However, the matter of the custody of the child cannot be disposed of in this curtate fashion. To assist us in making a decision in this matter the Court requested an investigation and report of the home situations on the parties. This was made to the Carroll County Department of Public Welfare by letter of December 11, 1967. We have since received reports from the Department of Public Welfare of the State of Delaware dated February 6, 1968 and the Carroll County Department of Public Welfare dated February 20, 1968.

Filed - March 12, 1968

It is well settled by the Court of Appeals of Maryland that the primary consideration in child custody cases is the best interest and welfare of the child. Apropos of this the Court of Appeals in Hild v. Hild, 221 Md. 349, at 357 said:

"For the purpose of ascertaining what is likely to be in the best interests and welfare of a child a court may properly consider, among other things, the fitness of the persons seeking custody, the adaptability of the prospective custodian to the task, the age, sex and health of the child, the physical, spiritual, and moral well-being of the child, the environment and surroundings in which the child will be reared, the influences likely to be exerted on the child, and, if he or she is old enough to make a rational choice, the preference of the child."

The Court further said in the same case also on page 357:

"Since the mother is the natural custodian of the young and immature, custody is ordinarily awarded to her, at least temporarily, in legal contests between parents when other things are equal, even when the father is without fault, provided the mother is a fit and proper person to have custody." (Emphasis added.)

Again, the Court of Appeals at the same reference said:

"But the general rule favoring the mother, even where the child is young and immature, is not inflexible and ought to give way to the exigencies of the situation in every case where there are circumstances which require application of the fundamental rule that the paramount consideration is the best interests and welfare of the child."

In this cause, we find one seeking custody of the child to be an unstable and adulterous mother. The father, on the other hand, seems to have stable and good moral characteristics since his present marriage. The child is male and of not such tender years as would require the care of his mother. The child is apparently nervous and in need of a more stable situation than that in which he is presently being reared. The mother, having committed adultery in the past, is apparently still carrying on her

affairs with the paramour. The report of the Welfare Board indicates that he comes to "see Mrs. Palmonari every evening and she says that he sometimes stays overnight." This could not be considered as a good environmental surrounding for the child or advantageous to his moral well-being. While both parties are living in trailers our information seems to indicate that the home of the father is one of a more permanent nature. We do not have the choice of the child to consider, but the reports which we have do not indicate that he is mature enough to make a rational choice as to his preference regarding the custody matter.

Our consideration has also been given to the possible financial and material benefits to the child, as well as to the effect of the relinquishment or transfer of custody. It is obvious that the custody in the father would be of considerably more financial and material benefit to Dale. In addition, we do not feel that the change of custody of the child would bring about any great emotional stress on him as we gather that he is fond of

his father and would be perfectly happy to be with him. Arrangements have been made for Mr. Palmonari's sister-in-law to look after the child during the week when the father is at work. Furthermore, plans have been developed to take care of the child's schooling.

Therefore, applying the guide lines set down by the Court of Appeals to the circumstances of this case, it is our opinion that it would be to the best interest and welfare of the child to award his custody to the father.

A decree in accordance with the views expressed herein will be passed.

[Signature]
Associate Judge.

It is thereupon, this 11th day of March, 1968, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the said Antonio Palmonari be, and he is hereby, divorced a vinculo matrimonii from Wanda S. Palmonari.

It is further ADJUDGED, ORDERED and DECREED that the said Antonio Palmonari shall have guardianship and custody of the said child, Dale Vincent Palmonari, with the right and privilege on the part of the said Wanda S. Palmonari to visit said child at reasonable times and hours, subject to the further order of this Court.

It is further ORDERED that the Complainant, Antonio Palmonari, pay the costs of these proceedings, as taxed by the Clerk of this Court.

E.O. Weant, Jr.
Associate Judge.

ELMER WALTER LONGMIRE, JR.
Woodbine, Carroll County, Maryland
21797

Plaintiff

vs

ETTA DOLORES LONGMIRE
c/o Jimmy Nichols
Ashley Trailer Court
Woodbine, Carroll County, Maryland
21797

Defendant

IN THE
CIRCUIT COURT
FOR
CARROLL COUNTY

Equity No. 11236
Docket No. 20
Folio No. 234

* * * * *

DECREE

This cause standing ready for hearing, testimony having been heard in open Court, and the proceedings were by the Court read and considered.

It is thereupon this 15th day of March, 1968, by the Circuit Court for Carroll County, In Equity, adjudged, ordered and decreed, that the said Elmer Walter Longmire, Jr., the above named complainant be, and he is hereby, DIVORCED A VINCULO MATRIMONII from the Defendant, Etta Dolores Longmire.

E.O. Weant, Jr.
Edward O. Weant, Jr.
Judge

Filed March 15, 1968

SANDRA IRENE HOBSON, Infant *
 by KATHRYN TRAYER, her Aunt *
 and next friend *
 Complainant *
 vs. *
 ROY H. HOBSON *

IN THE
 CIRCUIT COURT
 FOR
 CARROLL COUNTY
 Case No. 11285 Equity

Respondent.....*

D E C R E E

This cause standing ready for hearing and being duly submitted, testimony having been heard by the Court,

It is thereupon, this 22nd day of March, 1968, by the Circuit Court for Carroll County, ADJUDGED, ORDERED and DECREED that the said Sandra Irene Hobson, Complainant, be and she is hereby DIVORCED A VINCULO MATRIMONII from the Respondent, Roy H. Hobson.

AND IT IS FURTHER ORDERED, That the Complainant, Sandra Irene Hobson, is hereby awarded the care and custody of the infant child of the parties hereto, namely, Marjorie Mae Hobson, age 15 months, and the Respondent, Roy H. Hobson shall be chargeable generally with the support and maintenance of said infant child.

AND IT IS FURTHER ORDERED, That the Stipulation filed in these proceedings be and the same is hereby incorporated and made a part of this Decree.

AND IT IS FURTHER ORDERED, That the said Roy H. Hobson pay the costs of these proceedings.

E. O. Mandy Jr.
 Judge

Filed March 22, 1968

MILTON K. NOLTE : NO. 11345 EQUITY
 210 South Main Street :
 Hampstead, Maryland :
 Plaintiff : CIRCUIT COURT
 vs. : FOR
 LOIS M. NOLTE : CARROLL COUNTY
 Emory Road :
 Upperco, Maryland :
 Defendant :

DECREE

Testimony having been taken before this Court upon the Bill of Complaint filed herein,

It is thereupon this 24th day of March, 1968, by the Circuit Court for Carroll County ADJUDGED, ORDERED and DECREED that the above named Plaintiff, Milton K. Nolte, be, and he is hereby divorced a vinculo matrimonii from the Defendant, Lois M. Nolte, and it is further ordered that the said Milton K. Nolte pay the costs of these proceedings as taxed by the Clerk of this Court.

Filed March 24, 1968
E. O. Mandy Jr.
 Judge

JOHN M. LANG : No. 11269 Equity
c/o Mrs. Estie Lang :
Main Street : IN THE
Manchester, Maryland, : CIRCUIT COURT
Plaintiff, : FOR
-vs- : CARROLL COUNTY
ELDA V. LANG :
Hampstead, Maryland, :
Defendant. :

D E C R E E

This cause standing ready for hearing, testimony having been heard in open Court, and the proceedings were by the Court read and considered.

It is thereupon, this 29th day of March, 1968, by the Circuit Court for Carroll County, in Equity, adjudged, ordered and decreed, that John M. Lang, the above named Plaintiff be, and he is hereby, DIVORCED A VINCULO MATRIMONII from the Defendant, Elda V. Lang.

It is further ordered and decreed that the custody and guardianship of Diane F. Lang and Sharon Kay Lang, the two minor children of the parties hereto, be and the same are hereby awarded unto Elda V. Lang, Defendant, subject to the further order of this Court, with the right and privilege on the part of the Plaintiff to visit said children at reasonable times; and it is further adjudged, ordered and decreed that, in view of the fact that Sharon Kay Lang is employed and self-supporting, that the said Plaintiff, John M. Lang, be and he is hereby ordered and directed to pay unto the Defendant, Elda V. Lang, the sum of Fifteen (\$15.00) Dollars per week toward the support, maintenance and education of the said Sharon Kay Lang until said minor reaches the age

Filed March 29 1968

of twenty-one years, marries or sooner becomes self-supporting whichever shall first occur, and to jointly share in the payment of reasonable hospital, medical, surgical, dental and nursing services, if and as required (except such as would be covered by insurance) on behalf the said Sharon Kay Lang, all subject to the further Order of this Court.

And it is further Ordered, in view of Stipulation filed in these proceedings, that the Plaintiff, John M. Lang, pay unto the Defendant, Elda V. Lang, the additional sum of \$5.00 per week until the said John M. Lang has, by such additional \$5.00 per week payments, paid unto the said Elda V. Lang the total sum of \$148.30, this amount being required to be paid in order to bring arrearage payments, as by Stipulation agreed upon, up-to-date and fully paid.

And it is further Ordered, that the said John M. Lang, Plaintiff, pay the costs of these proceedings.

E. O. Weant, Jr.
E. O. Weant, Jr., Judge

IN THE CIRCUIT COURT FOR CARROLL COUNTY

John Minor Stewart
35 North Main Street
Union Bridge, Maryland

Plaintiff

vs.

No. 11318 Equity
Docket 21
Folio 11

Patsy Lee Stewart
10 Main Street
Union Bridge, Maryland

Defendant

DECREE OF DIVORCE

This cause standing ready for hearing and having been heard and considered.

It is thereupon, this / day of ^{April} ~~March~~, 1968, by the Circuit Court for Carroll County adjudged, ordered and decreed that the above named Plaintiff, John Minor Stewart, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Patsy Lee Stewart. It is further ordered that the care, custody, guardianship and control of the infant children of the parties be awarded to the Defendant, Patsy Lee Stewart, and that the said Plaintiff shall pay for the support of said childre the sum of \$40.00 per week; it is further ordered that the Plaintiff, John Minor Stewart, shall have the right of reasonable visitation with the said children, all subject to the further order of this Court.

And it is further adjudged, ordered and decreed that the Plaintiff, John Minor Stewart, pay the costs of these proceedings.

E.O. Ward Jr.
Judge

Filed - April 1, 1968

IN THE CIRCUIT COURT FOR CARROLL COUNTY

John Wesley Hood
Box 9 - Main Street
Mt. Airy, Maryland

Plaintiff

vs.

No. 11329 Equity
Docket 21
Folio 18

Maybell Grace Hood
88 West Main Street
Westminster, Maryland

Defendant

DECREE OF DIVORCE

This cause standing ready for hearing and having been heard and considered.

It is thereupon, this / day of ^{April} ~~March~~, 1968, by the Circuit Court for Carroll County adjudged, ordered and decreed that the above named Plaintiff, John Wesley Hood, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Maybell Grace Hood.

And it is further adjudged, ordered and decreed that the Plaintiff, John Wesley Hood, pay the costs of these proceedings.

E.O. Ward Jr.
Judge

Filed - April 1, 1968

LELA G. VAUGHAN, : No. 11223 Equity
 Plaintiff, : In the Circuit Court for
 -vs- : Carroll County,
 MELVIN L. VAUGHAN, : Maryland
 Defendant. :

DECREE

This cause standing ready for hearing, testimony having been heard in open Court, and the proceedings were by the Court read and considered.

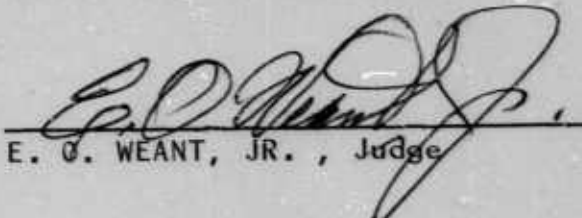
It is thereupon, this 29th day of March, 1968, by the Circuit Court for Carroll County, in Equity, adjudged, ordered and decreed, that the said Lela G. Vaughan, the above named Plaintiff, be, and she is hereby DIVORCED A VINCULO ~~MATRIMONI~~ from the Defendant, Melvin L. Vaughan.

In view of the fact that the children of the parties to this Equity Cause are sui juris, that the Plaintiff, by Stipulation and Agreement made a part of the record in these proceedings, has waived any claim for support or alimony, it is further Ordered that the Stipulation and Agreement of the parties be and the same is made a part of this Decree to the effect that the Defendant shall not be required to pay alimony or support unto the said Plaintiff; that the Plaintiff shall execute such deed, deeds, instrument or instruments to convey unto the Defendant the real estate of the parties to this cause located in the Commonwealth of Pennsylvania; that the Defendant execute such deed, deeds, instrument or instruments to convey unto the Plaintiff the real estate of the parties to this cause located in Carroll County, Maryland, and that the Plaintiff, by virtue of the Stipulation and Agreement, is entitled to all

Filed - April 2, 1968

household furniture, other personal property and real estate of the parties hereto in and about the Manchester, Carroll County, State of Maryland, except the personal clothing or personal property of a similar nature and kind individually owned by the Defendant, and that the Plaintiff relinquish any possession of the real estate in the Commonwealth of Pennsylvania and the Defendant relinquish any possession of the real estate and personal property contemplated to become the property of the Plaintiff and located in Carroll County, Maryland, as of April 1, 1968. It is further Ordered that the motor vehicles, by virtue of the aforementioned Stipulation and Agreement shall continue to be owned by the respective parties to this Equity Cause in the same manner as at the time of the hearing of this Cause.

And it is further Ordered, that the said Melvin L. Vaughan, Defendant, pay the costs of these proceedings.


 E. O. WEANT, JR., Judge

JAMES WILLIAM NICHOLS *
 Plaintiff *
 vs. *
 BETTY JANE NICHOLS *
 Defendant *
 Equity No. 11234

IN THE
 CIRCUIT COURT
 FOR
 CARROLL COUNTY

DECREE OF DIVORCE

The Bill of Complaint herein having been filed on September 18, 1967, the Defendant having been duly summoned, and having failed to answer or appear, and Decree Pro Confesso against Defendant having been taken and entered by this Court on October 23, 1967, and the said Bill of Complaint having come on for hearing, the Plaintiff having appeared together with corroborating witness offering testimony before this Court, Defendant having also appeared in person and testified, counsel having been heard, it is this 2nd day of April, 1968, by the Circuit Court for Carroll County, in Equity, ORDERED, ADJUDGED and DECREED that the said JAMES WILLIAM NICHOLS, the above named Plaintiff, be and he is hereby divorced a vinculo matrimonii from the Defendant, BETTY JANE NICHOLS;

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that the guardianship and custody of the two infant children of the parties, Lisa Aaron and James Douglas, be and the same are hereby awarded to the Defendant, Betty Jane Nichols, with reasonable rights of visitation allowed to Plaintiff, James William Nichols, and that Plaintiff shall be chargeable generally with the support and maintenance of said infant children;

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Plaintiff shall pay the costs of this proceeding.

E. O. Weant, Jr.
 E. O. WEANT, JR., Judge

Filed-April 2, 1968

ELOISE L. MEDLIN :
 73 S. St. John Lane :
 Ellicott City, Maryland :
 Complainant :
 vs. :
 DAVID A. MEDLIN :
 Gaither Road :
 Gaithers, :
 Carroll County, Maryland :
 Respondent :
 Case No. 11325 In Equity

IN THE
 CIRCUIT COURT
 FOR
 CARROLL COUNTY

DECREE OF DIVORCE

This case standing ready for hearing and having been heard and considered:

It is thereupon, this 3 day of April, 1968, by the Circuit Court for Carroll County, ADJUDGED, ORDERED and DECREED that the above named Complainant, Eloise L. Medlin, be and she is hereby divorced "A VINCULO MATRIMONII" from the Respondent, David A. Medlin.

That custody of the minor children, Richard David Medlin and Edward Michael Medlin, is hereby awarded to the Respondent, David A. Medlin.

That custody of the minor child, Eva Victoria Medlin, is hereby awarded to the Complainant, Eloise L. Medlin; and that the Respondent, David A. Medlin be charged, generally, with the support of said minor child.

And it is further ADJUDGED, ORDERED and DECREED that the Complainant, Eloise L. Medlin, is denied alimony and support by her expressed waiver thereof.

And it is further ADJUDGED, ORDERED and DECREED that the Complainant, Eloise L. Medlin, pay the costs of these proceedings.

E. O. Weant, Jr.
 Filed-April 3, 1968
 STATE OF MARYLAND, CARROLL COUNTY, to wit: Judge

I HEREBY CERTIFY that the foregoing is a true copy taken from the Original Decree of Divorce filed March , 1968. In testimony whereof, I hereto set my hand and affix the seal of the Circuit Court for Carroll County this day of March, 1968.

Clerk of Circuit Court for Carroll County

ROBERT L. POOLE * IN THE CIRCUIT COURT
 * FOR CARROLL COUNTY
 VS. *
 CAROLYN F. POOLE * WESTMINSTER, MARYLAND
 *
 * NO.
 * * *

DECREE

This case coming on for hearing on April 3rd, 1968, and all parties having been heard, the proceedings were read and considered by this Court.

It is this 5th day of April, 1968, by the Circuit Court for Carroll County, Westminster, Maryland, sitting in Equity, ORDERED, that the Complainant, Robert L. Poole, be and he is hereby DIVORCED A VINCULO MATRIMONII from the Respondent Carolyn F. Poole.

It is further ORDERED, that the terms of the Agreement dated May 6th, 1966, and entered into by the parties and introduced in these proceedings shall be incorporated in and become a part of this DECREE; except that the amount of \$5.00 per week for the support of the infant child, Michael Wade Poole, shall be increased to \$10.00 per week. All subject to the further Order of this Court.

And it is further ORDERED, that the Complainant Robert L. Poole, pay the costs of these proceedings as taxed by the Clerk of this Court.


 JUDGE

Filed April 8, 1968

HAROLD J. DAVIS Ø NO. 11249 EQUITY
 Ø IN THE
 Plaintiff Ø
 vs. Ø CIRCUIT COURT
 NELLIE MARGARET DAVIS Ø FOR
 Ø CARROLL COUNTY
 Defendant

MEMORANDUM AND ORDER

The plaintiff in this case, Harold J. Davis, has filed a suit for divorce from the defendant Nellie Margaret Davis. He alleges desertion on the part of the defendant. The defendant has filed an answer to the bill of complaint as well as a bill for support and separate maintenance, counsel fees and the permanent care and custody of the infant child of the parties, Randall Allen Davis.

The plaintiff maintains that the defendant left their home on or about September 18, 1967, at which time he returned home and found his clothes on the porch. He also testified that the furniture in the house was piled in the middle of the various rooms. The proof showed that the plaintiff had been married two previous times and that he had five other children, three of whom he has the responsibility of the care and custody. He testified that the defendant agreed before their marriage to take care of the latter three children but that this arrangement had never actually been carried out except one Easter when he had all five of the children with them. The plaintiff said that the defendant left him on the pretext of objecting to taking care of his children by a previous marriage. He claimed that his wife left when he was arranging to bring the three

Filed April 10, 1968

children to their house in September of 1967. He also stated that his wife asked him many times to come back but that he would not do so. His sister testified that other arrangements could have been made to take care of the children and that it was not necessary for him to take them to his home.

A witness called by the plaintiff, Harold Boone, testified that Nellie Davis returned to the home after being absent three days. He said that upon her return she told him her husband was coming back. Mr. Boone's wife testified to much the same thing, adding that she had taken the child of the parties to a doctor because the husband would not.

The defendant admits having left the home of the parties on or about September 15, 1967, but states that she returned in three days as indicated by the previous testimony. She also testified that she tried many, many times to get her husband to return to her but that he would not, even though he had promised to do so at the time she moved back to the house. She said that she moved out in the first place because he was never home, would never take her anywhere on weekends and because she felt that he was running around. She also alleged that he hit her in the mouth on one occasion. This he did not contradict. She stated in a letter dated September 15, 1967, that she did not want him back. She explained in her testimony that she had done this by reason of the fact that he had stated that he did not want her or her child. There was also other uncontradicted testimony as to the amount of work that she did around the house and the lack of effort on his part. In addition, there was also a great deal of testimony concerning his foul language toward his wife.

The alleged desertion occurred on September 18, 1967. Suit for divorce a mensa et thoro was filed by the husband on September 25, 1967. A separation of this length of time would seem to be desertion more in the imagination or desire of the plaintiff than in reality. In fact the defendant returned within three days and made not one but many bona fide efforts at reconciliation. This is admitted on the part of the plaintiff. For these reasons we can not find that the plaintiff has established a case that would support his plea for a divorce.

In considering the custody matter, we have no problem in holding that the defendant, Nellie Margaret Davis, should have the custody of the child and that the plaintiff should pay for same. He also should be charged with the support of this child. Further, since he has refused to take his wife back without, in our opinion, just cause, we feel that he should also pay alimony for her support. The income of the defendant would seem to dictate this. In addition, we shall award reasonable attorney fees.

It is thereupon this 10th day of April, 1968, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED, and DECREED that the bill of complaint for divorce a mensa et thoro filed herein by Harold J. Davis be, and the same is hereby, dismissed. It is further ADJUDGED, ORDERED, and DECREED that the care and custody of the infant child, Randall Allen Davis, be, and it is hereby, awarded to Nellie Margaret Davis, and that the plaintiff, Harold J. Davis, pay unto Nellie Margaret Davis the sum of \$10.00 per week alimony, \$10.00 per week for the support and maintenance of the infant child of the parties and \$75.00 counsel fees for the attorney for the defendant.

It is further Ordered that the plaintiff, Harold J. Davis, pay the costs of this suit as taxed by the Clerk of this Court.

E. O. [Signature]
Associate Judge

Suzanne Kuykendall	Ø	No. 11,153 Equity
11 Park Avenue	Ø	In The
Westminster, Maryland 21157	Ø	Circuit Court
Plaintiff	Ø	
-v-	Ø	for
Kenneth Kuykendall	Ø	Carroll County,
58 Carroll Street	Ø	Maryland
Westminster, Maryland 21157	Ø	
Defendant	Ø	20/186

D E C R E E

This cause standing ready for hearing, testimony having been heard in open Court, and the proceedings were by the Court read and considered.

It is thereupon, this 19th day of April, 1968, by the Circuit Court for Carroll County, in Equity, adjudged, ordered and decreed, that the said Suzanne Kuykendall, the above named complainant be, and she is hereby, DIVORCED A VINCULO MATRIMONII from the Defendant, Kenneth Kuykendall.

It is further ordered and decreed that the custody and guardianship of Ann Kuykendall and Alan Kuykendall, the two minor children of the parties hereto, be and the same is hereby awarded unto Suzanne Kuykendall, Plaintiff, subject to the further order of this Court, with the right and privilege on the part of the Defendant to visit said children at reasonable times; and,

It is further adjudged, ordered and decreed that the Defendant pay to the Plaintiff, accounting from the date hereof, the sum of One Hundred Eight Dollars and thirty-three cents (\$108.33) each month in advance, for the support and maintenance of Ann Kuykendall and Alan Kuykendall subject to the further order of the Court; and,

It appearing that Suzanne Kuykendall, Plaintiff, presently is self-supporting, the power subsequently to pass on the

Filed April 19, 1968

subject of alimony be and the same is hereby reserved in the court, and subject to the further order of the court; and,

It is further ordered that the terms of the "Separation Agreement" entered into between the parties hereto and dated July 17, 1967, not inconsistent with the aforesaid provisions of this Decree, be and the same are incorporated and adopted by reference as a part of this Decree, subject to the further order of the court in the premises; and,

It is further ordered that Kenneth Kuykendall, Defendant, pay the costs of these proceedings.

[Signature]
L. O. Weant, Jr., Judge

DONALD M. BLACKSTEN * IN THE CIRCUIT COURT
VS. * FOR CARROLL COUNTY
KATHRYN I. BLACKSTEN * WESTMINSTER, MARYLAND
* EQUITY 11306 21/4
* * *

DECREE

This case coming on for hearing on April 19th, 1968, following a Decree Pro Confesso, the Complainant and his witness having been heard, the proceedings were read and considered by this Court. -

It is this 23rd day of April, 1968, by the Circuit Court for Carroll County, Westminster, Maryland, sitting in Equity, ORDERED, that the Complainant, Donald M. Blacksten, he and he is hereby divorced A VINCULO MATRIMONII from the Respondent Kathryn I. Blacksten.

And it is further ORDERED, that the Complainant, Donald M. Blacksten, pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. [Signature]
Judge

Filed April 23, 1968

CHARLES H. DAVIS, JR. : No. ¹¹³³⁴~~11306~~ Equity
R. D. #1, : In the
Union Bridge, Maryland, : Circuit Court
Plaintiff, : for
vs. : Carroll County
SAUNDRA DAVIS :
(Woodsboro Road at edge of :
Libertytown) :
Libertytown, Maryland, :
Defendant, :
:

DECREE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

This cause was heard in open Court. The proceedings and testimony were considered by the Court.

WHEREUPON IT IS ORDERED and decreed this 25th day of April, 1968, by the Circuit Court for Carroll County, sitting in Equity, that the above named Plaintiff, Charles H. Davis, Jr., be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, the said Sandra Davis; and

It is further adjudged, ordered and decreed that the Defendant, Sandra Davis, be and she is hereby awarded the guardianship and custody of Charles H. Davis, III, infant child of the parties, with the right and privilege on the part of the Plaintiff to visit said child at reasonable times and hours, subject to the further order of this Honorable Court.

It is further adjudged, ordered and decreed that the Plaintiff, Charles H. Davis, Jr., pay unto the Defendant the sum of Fifty Dollars (\$50.00) per month for the support, maintenance and other requirements of said infant child until he reaches the age of 21 years, marries, enters the Military Service, becomes self-supporting or dies; subject to the further order of this Court.

It is further adjudged, ordered and decreed that the Plaintiff, Charles H. Davis, Jr., be and he is awarded the guardianship

Filed - April 25, 1968

and custody of Robin Lynn Davis, infant child of the parties, with right and privilege on the part of the Defendant to visit said child at reasonable times and hours, subject to the further order of this Court.

And it is further Adjudged, Ordered and Decreed, that the Plaintiff, Charles H. Davis, Jr., pay the costs of these proceedings.

E. O. Weant, Jr.
Associate Judge

BRUCE A. BROMAN
6729 Fairfax Road
Chevy Chase, Maryland

Plaintiff

vs

FRANCES H. BROMAN
Berwin House
4800 Berwin Road
College Park, Maryland

Defendant

NO. 11328 EQUITY

IN THE

CIRCUIT COURT

FOR

CARROLL COUNTY

DECREE

This matter came on for hearing on April 19, 1968. The Defendant filed her answer to the Bill of Complaint in proper person but did not appear at the time of hearing. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this *25th* day of *April*, 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Bruce A. Broman, be, and he is hereby, divorced a vinculo matrimonii from the Defendant, Frances H. Broman. And it is further ORDERED that the pertinent provisions of the agreement between the parties dated July 27, 1966, be made a part of this decree, and particularly that the Plaintiff shall have the care and custody of Louis J. Broman (Born May 18, 1956) and Jennifer D. Broman (born October 24, 1957), and the Defendant shall have the care and custody of Chamblis R. Broman (born July 15, 1959), subject to the further Order of this Court.

And it is further Ordered that the Plaintiff, Bruce A. Broman, pay the costs of this proceeding as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

Filed- April 25, 1968

KENNETH M. STALEY *
Plaintiff *
vs. *
PATRICIA A. STALEY *
Defendant *
CIRCUIT COURT
FOR
CARROLL COUNTY
Equity No. 11326

DECREE OF DIVORCE

The Bill of Complaint herein having been filed on January 19, 1968, the Defendant having duly answered, and the said Bill of Complaint having come on for hearing, the Plaintiff having appeared together with corroborating witness offering testimony before this Court, Defendant having also appeared, counsel having been heard, it is this 26th day of April, 1968, by the Circuit Court for Carroll County, in Equity, ORDERED, ADJUDGED and DECREED that the said Kenneth M. Staley, the above named Plaintiff be, and he is hereby divorced a vinculo matrimonii from the Defendant, Patricia A. Staley.

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that the guardianship and custody of the infant children of the parties, namely, Sheila Jeanne Staley, Sharon Mae Staley, Kenneth William Staley, Floyd Marlin Staley, Bradley Joe Staley and Lyndon Charles Staley, be and the same are hereby awarded to the Defendant, Patricia A. Staley, with reasonable rights of visitation allowed to the Plaintiff, Kenneth M. Staley.

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Agreement of Separation entered into by the parties on July 9, 1965, copy of which is filed in the proceedings as an exhibit, be and the same is hereby ratified and confirmed excepting as modified by the parties by stipulation and mutual agreement, and provided that Plaintiff, Kenneth M. Staley, shall make all payments of support through the office of the Clerk of the Circuit Court for Carroll County.

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that Plaintiff shall pay the costs of this proceeding.

E. O. Weant, Jr.
E. O. WEANT, JR., Judge

Filed April 26, 1968

DONALD BERKELEY ROBERTS * NO. 11364 EQUITY
COMPLAINANT *
VS. *
SHARON ANN ROBERTS *
RESPONDENT *
FOR CARROLL COUNTY, MARYLAND.

DECREE OF DIVORCE

THIS CAUSE, Standing ready for a Hearing, the Bill of Complaint, Answer thereto and the testimony having been taken before me, it is thereupon, this 26th day of April, A.D., 1968, ADJUDGED, ORDERED and DECREED by the Circuit Court for Carroll County, Maryland, sitting as a Court of Equity;

That Donald Berkeley Roberts be, and he is hereby divorced A VINCULO MATRIMONII from the Respondent, Sharon Ann Roberts.

And it is further Ordered that Sharon Ann Roberts, the Respondent, be awarded the care and custody of the infant child of said marriage, namely, Donyel Lynn Roberts, and that the Complainant, Donald Berkeley Roberts, be charged with the support of said infant child at \$10.00 per week.

And it is further Ordered that the Complainant, Donald Berkeley Roberts, pay the costs of these proceedings.

E. O. Weant, Jr.

Filed April 26, 1968

BEVERLY E. SHORB * IN THE CIRCUIT COURT
Complainant * FOR CARROLL COUNTY
vs. * WESTMINSTER, MARYLAND
JOHN E. SHORB * EQUITY NO. 11358
Respondent *

DECREE

This Cause coming on for hearing on the 26th day, of April, 1968, the Complainant Beverly E. Shorb, testified together with her witnesses. The Respondent, John E. Shorb, and his Solicitor failed to appear, the proceedings were read and considered together with the testimony of the Complainant and her witnesses.

It is this 30th day of April, 1968, by the Circuit Court for Carroll County, Westminster, Maryland, sitting in Equity, ORDERED, that the Complainant, Beverly E. Shorb, be and she is hereby DIVORCED A VINCULO MATRIMONII from the Respondent, John E. Shorb.

And it is further ORDERED, that the Respondent, John E. Shorb, pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant, Jr.
Judge

Filed April 30, 1968

WAYNE ROYER STALEY \$ NO. 11,341 EQUITY
Plaintiff \$ IN THE
vs. \$ CIRCUIT COURT
LINDA MARIE STALEY \$ FOR CARROLL COUNTY
Defendant. \$ Docket No. 21, folio 25

DECREE

This cause standing ready for hearing and having been heard in open Court and the proceedings read and considered.

It is thereupon, this 3rd day of May, 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED and DECREED that the said Wayne Royer Staley, the Plaintiff, be, and he is hereby, divorced a mensa et thoro from the said Linda Marie Staley, Defendant. And it is hereby declared to be the duty of each of them to live chastely during their separation, and that it will be criminal and an act void in law for either of them, during the life of the other, to contract marriage with any other person.

And it is further ORDERED that the Plaintiff pay the costs of this proceeding, as taxed by the Clerk of the Court.

E. O. Weant, Jr.
E. O. WEANT, JR., JUDGE

Filed May 3, 1968

LAWRENCE L. MICHAELS	*	IN THE CIRCUIT COURT
Complainant	*	FOR CARROLL COUNTY
vs.	*	WESTMINSTER, MARYLAND
PATRICIA A. MICHAELS	*	NO. 11199 20/212 Equity
Respondent	*	

* * *

DECREE

This case coming on for hearing on May 17th, 1968, and deposition of one of the witness and testimony of the Complainant together with his witness having been heard in open Court, the proceedings were read and considered by this Court.

It is this 21st day of May, 1968, by the Circuit Court for Carroll County, at Westminster, Maryland, sitting in Equity, ORDERED, that the Complainant, Lawrence L. Michaels, be and he is hereby DIVORCED A VINCULO MATRIMONII from the Respondent, Patricia A. Michaels.

It is further, ORDERED, that the guardianship and custody of Cheryl Ann Michaels, infant daughter of the parties hereto, be and it is hereby awarded to the Complainant Lawrence L. Michaels, with the right of the Respondent Patricia A. Michaels to visit said child at reasonable times; all subject however to the continuing jurisdiction of this Court.

And it is further ORDERED, that the Complainant Lawrence L. Michaels, pay the costs of these proceedings as taxed by the Clerk of this Court.

E. D. [Signature]
Judge.

Filed May 21, 1968

HELEN R. SPENCER	Ø	EQUITY NO. 11354
Complainant	Ø	IN THE
vs.	Ø	CIRCUIT COURT
RICHARD L. SPENCER	Ø	FOR
Respondent	Ø	CARROLL COUNTY

MEMORANDUM AND ORDER

Helen R. Spencer, Complainant, in this matter has sued Richard L. Spencer, Respondent, for divorce a vinculo matrimonii alleging adultery on the part of the Respondent. In addition to the divorce she seeks alimony and support for herself and her infant child now children.

The Complainant has attempted to establish adultery through her testimony, the testimony of Ellen Berry and that of two detectives. The testimony indicated that the Complainant became suspicious of her husband because she observed him, after they had entered into a separation agreement, entering an apartment building with an unidentified woman somewhere around the first of December in 1967. On one other occasion she saw her husband and a girl she identified as Lou Sharrer together in a car one evening. These two incidents were corroborated by Ellen Berry, although she could not identify either of the women. She did add the information that the Respondent was sitting close to the woman in the car on the night of December 28, 1967.

The detectives, John Gibson and Elwood Clarke, testified that the Respondent went into the apartment building in question on the night of January 22, 1968, and that immediately thereafter lights went on on the second floor in what they identified as apartment No. 1. Lights allegedly went out and

Filed May 29, 1968

came on again about an hour and three quarters later. On February 22, 1968, the detectives testified that they followed the Respondent and a woman in the Respondent's car which was a red two-door Ford. At this time the Respondent is said to have driven to Route 32 near Bullock's where he pulled off to the side and parked. The detectives indicated that the parties hugged and kissed and then disappeared from view. They did not identify the woman or women who were allegedly involved in these instances.

The Respondent, on the other hand, testified that he had been in the apartment in question once with another man and that on one other occasion he merely took a girl to the door. He states that he had never parked on Route 32 near Bullock's.

As the Court of Appeals has said many times, adultery must be established affirmatively by the evidence that the alleged offense was committed. In order to prove the charge it must be clearly established that there is a disposition toward this sort of thing on the part of the Respondent and the paramour and an opportunity to commit same.

In this case we have little or no proof as to the adulterous disposition of the paramour. In fact, we do not even have her clearly identified. The fact that the Respondent was seen on the street and entering a door with a female and even riding in a car with one does not seem to establish an adulterous disposition on his part. The most cogent testimony we have comes from that of the detectives. They have attempted to give the Respondent and his lady friend or friends both the disposition and opportunity to commit adultery. This they have done by using the oft repeated allegation that they saw the Respondent and a lady friend enter a building and saw the lights go on up

stairs after which the lights went out. They carry on with the usual that the lights again went on and the party or parties left the building. In addition, we have the usual testimony of seeing the couple in a car and observing them pass from view after a discrete period of necking. It seems significant to note that the detectives did not seek to positively identify the alleged paramour or paramours.

We are constrained here to quote from the case of *Matakieff vs. Matakieff*, 246 Md. 23, at 33, wherein the Court of Appeals quotes from *Hockman vs. Hockman* as follows:

"It is unquestionably true that the testimony of private detectives is not entitled to any more weight than that of the defendant and the correspondent, where they conflict. The reason for this rule is that they are all interested witnesses, the detectives to justify their employment by finding what they are employed to find, and the defendant, and correspondent to establish their innocence. *German vs. German*, 137 Md. 424, 112 A. 789. Generally, the testimony of detectives is not reliable when it is uncorroborated by any circumstance in the case and does not connect the defendant with the offense. *McCleary vs. McCleary*, 140 Md. 659, 663, 118 A 133; *Bailey vs. Bailey*, 181 Md. 385, 30 A. 2d 249; *Steinla vs. Steinla*, 178 Md. 367, 13 A. 2d 534. But in this case the detective, who has an established detective agency in the Equitable Building, was accompanied by his wife when he followed Mrs. Hockman and Ridenbaugh on their motor trips, and the investigation was done thoroughly." (Emphasis added.)

The Court of Appeals in the *Matakieff* case went on to point out that the testimony of the detectives was amply corroborated by reason of the parties' marital experiences of being divorced and separated, there being no forthright denial of certain kissing episode, no denial that she had sat close to him in an automobile or that she had given him a prolonged hug outside of the apartment. Nor did she give a reasonable explanation

nation for the lateness of their meetings. Certain other testimony in the Matakieff case also corroborated the facts that the detectives had been present as they said they had been in their investigations and that the adulterous spouse had been present with the paramour as claimed by the detectives.

We not only do not have a denial by the paramour of any of the alleged activities in our instant case, we have no identification of her or them and consequently no testimony whatsoever. We have the names of several females inserted into the testimony but none have been identified by the detectives. The Respondent admits to being with only one female and this does not seem to be the one with whom he was supposed to have been in the car when his wife and her girl friend observed him. We do not know from the detectives testimony as to whom it was. It would seem that a more thorough investigation on the part of the detectives would have identified the alleged paramour.

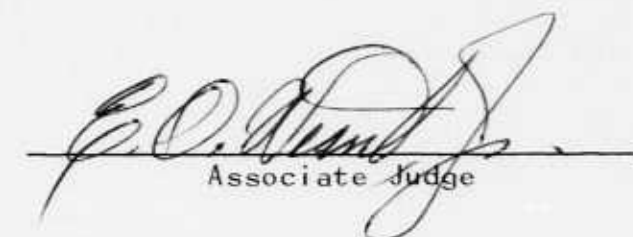
While it might be said that it is possible that Mr. Spencer did commit the offense, a Court of Equity cannot decide issues on this kind of mere possibility. We must decide them on the facts as they appear from the evidence. The only corroboration of the detectives' testimony amounts to little more than the suspicion of a separated wife and we cannot hold this to be sufficient.

We shall therefore deny the prayer for divorce. In addition, we shall provide for the care and custody of the child born of the marriage prior to the hearing in this matter, namely, Douglas Melvin Spencer, and for the child Scott Russell Spencer whom we are informed was born to Helen R. Spencer on May 20, 1968. We shall also provide for the support and maintenance of these children but will not otherwise disturb the separation

agreement which was entered into between the parties and filed herein.

It is thereupon this 29th day of May, 1968, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the divorce a vinculo matrimonii sought by the Complainant, Helen R. Spencer, be, and the same is hereby, Denied. It is further ORDERED that the said Helen R. Spencer be, and she is hereby, given the care and custody of the two children born of the parties, namely, Douglas Melvin Spencer and Scott Russell Spencer, and that the said Richard L. Spencer shall pay unto the said Helen R. Spencer the sum of \$15.00 each per week for the support and maintenance of each of the said two children until they shall reach the age of twenty-one, die, marry, or become self-supporting. It is further ORDERED that the said Richard L. Spencer shall have the right to visit the said infant children at reasonable times and places.

It is ORDERED that the said Richard L. Spencer shall pay the costs of these proceedings as taxed by the Clerk of this Court.


Associate Judge

Filed June 7, 1968

Filed June 11, 1968

RUTH B. DASH
Route 2, Dave Rill Road
Hampstead, Maryland

Plaintiff

vs

GORDON H. DASH
208 South Payson Street
Baltimore, Maryland 21223

Defendant

NO. 11293 EQUITY

IN THE

CIRCUIT COURT

FOR

CARROLL COUNTY

DECREE

This matter came on for hearing on June 7, 1968, both parties to this cause appearing in Court with their respective counsel. The record shows that by her Bill of Complaint filed in this Court on November 16, 1967, the Plaintiff alleges that she and the Defendant have voluntarily lived separate and apart for more than eighteen months and asks that she be granted a divorce a vinculo matrimonii from her husband. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed and a decree will be passed in accordance therewith.

It is thereupon this 11th day of June, 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Ruth B. Dash, be, and she is hereby, divorced a vinculo matrimonii from her husband, the Defendant, Gordon H. Dash. And it is further ADJUDGED, ORDERED AND DECREED that the Plaintiff, Ruth B. Dash, be, and she is hereby, awarded the care and custody of two of the infant children of the parties, namely, Cheryl Ann Dash (born September 30, 1959) and Susan Michelle Dash (born June 8, 1962), subject to the further order of this Court, the two older children of the parties, namely, Russell Gordon Dash (born June 23, 1957) and Kenneth Leonard Dash (born August 10, 1958) to remain in the custody of the Baltimore Department of Public Welfare.

Filed - June 11, 1968

And it is further ORDERED that the costs of these proceedings as taxed by the Clerk of this Court be divided equally between the Plaintiff and the Defendant.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

GORDON W. SCHOEN, Infant
By GORDON H. SCHOEN, his
Father and next friend

Plaintiff

vs.

DONNA LYNN SCHOEN, Infant

Defendant

IN THE

CIRCUIT COURT

FOR

CARROLL COUNTY

Equity No. 11401

DECREE OF DIVORCE

The Bill of Complaint having been filed herein on May 2, 1968, Defendant having duly answered by her Guardian-ad-litem appointed by this Court, Plaintiff having appeared with corroborating witnesses, testimony having been taken, Defendant having appeared by counsel, and good cause appearing therefor, it is this 11th day of June, 1968, by the Circuit Court for Carroll County, in Equity, ORDERED, ADJUDGED and DECREED that GORDON W. SCHOEN, Plaintiff, be and he is hereby divorced a vinculo matrimonii from DONNA LYNN SCHOEN, Defendant;

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that the care, custody, guardianship and control of KELLY DAWN SCHOEN, the infant child of the parties, be and it is hereby awarded to GORDON W. SCHOEN, Plaintiff, subject to reasonable rights of Defendant to visit the said infant child;

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that GORDON W. SCHOEN, Plaintiff, shall pay unto Sam Mason, counsel for Defendant in these proceedings, the sum of One Hundred Dollars (\$100.00) as counsel fee, and shall pay the costs of these proceedings.

E. O. Weant, Jr.
E. O. WEANT, JR., Judge

Filed June 11, 1968

LIBER 4 PAGE 77

ROLAND E. NINER
258 E. Main Street
Westminster, Maryland 21157
Plaintiff
vs.
CREASIE A. NINER
5450 Lynview Avenue
Baltimore, Maryland 21215
(Employed at F.W. Woolworth's Store
at Reisterstown Road Plaza)
Defendant

No. 11368 EQUITY
IN THE
CIRCUIT COURT
FOR
CARROLL COUNTY
WESTMINSTER, MARYLAND

:::

DECREE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

This cause was heard in Open Court. The Plaintiff and his Attorney were present. The Defendant was not present in person nor represented by an Attorney. The proceedings and testimony were considered by the Court.

WHEREUPON IT IS ORDERED and decreed this 17th day of June, 1968, by the Circuit Court for Carroll County, sitting in Equity, that the above named Plaintiff, Roland E. Niner, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, the said Creasie A. Niner; and

It is Further adjudged, Ordered and Decreed, that the Plaintiff, Roland E. Niner, pay the cost of these proceedings.

E. O. Weant, Jr.
Associate Judge

Filed-June 18, 1968

LIBER 4 PAGE 78

LAVERNE JOHN SWOPE
Plaintiff
vs.
BERTHA F. SWOPE
Defendant

No. 11188 EQUITY
IN THE
CIRCUIT COURT
FOR
CARROLL COUNTY

DECREE

This matter came on for hearing on October 20, 1967, a decree pro confesso having been taken against the Defendant who neither answered nor appeared. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this 17th day of June 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Laverne John Swope, be, and he is hereby, divorced a vinculo matrimonii from the Defendant, Bertha F. Swope. And it is further ADJUDGED, ORDERED AND DECREED that the terms of a separation and property settlement agreement between the parties hereto dated September 21, 1965, be, and they are hereby incorporated as and made a part of this decree, one of the terms of said agreement being "that the said husband, Laverne J. Swope, shall have the custody and control of the infant children of the parties, namely, Stephen L. Swope, age twelve (12) years, and Beth Ann Swope, age six (6) years." And it is further ORDERED that the Plaintiff pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

Filed-June 18, 1968

GERALDINE LOUISE RICHARTS	Ø	NO. 11160 EQUITY
Plaintiff	Ø	IN THE
vs.	Ø	CIRCUIT COURT
LEROY CALVIN RICHARTS	Ø	FOR
Defendant	Ø	CARROLL COUNTY

This matter concerns a bill of complaint for a divorce filed on behalf of Geraldine Louise Richarts, Plaintiff, against Leroy Calvin Richarts, Defendant. In addition to the divorce the plaintiff seeks the care, custody, guardianship and control of the three children born to the parties, namely, Brenda Joyce Richarts, Beverly Jean Richarts, and Michael Allen Richarts. She also requests support for the latter two children, Brenda being now self-supporting. The plaintiff alleges a voluntary separation as her grounds for divorce.

It is manifest from the testimony that the separation of the parties was involuntary when it first occurred. However, the Court is further convinced from the testimony that the parties have since displayed agreement of mutual intent to remain apart and never to live together again. The testimony of the children as well as that of the parties makes this self evident. The children have indicated that their parents have made it clear that there is no expectation of reconciliation. In addition, the parties have apparently sought other friends with whom they are more compatible. It is further the opinion of this Court that the voluntary circumstance of the situation between the parties has continued for well over

Filed-June 24, 1968

the statutory eighteen months and that the divorce should be granted.

Since the plaintiff has not asked for anything more than support for the two children as mentioned above, there is nothing more for the Court to consider in this regard.

We do not find that the plaintiff has been shown to be an unfit mother and we will therefore grant her the care, custody, guardianship and control of the parties with reasonable right of visitation on the part of the defendant. It is thereupon this 3rd day of April, 1968, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED, and DECRED that the said Geraldine Louise Richarts be, and she is hereby divorced a vinculo matrimonii from Leroy Calvin Richarts.

It is further ADJUDGED, ORDERED and DECRED, that the said Geraldine Louise Richarts shall have the care, custody, guardianship and control of the children of the parties, namely, Brenda Joyce Richarts, Beverly Jean Richarts, and Michael Allen Richarts, with the right and privilege of the said Leroy Calvin Richarts to visit said children at reasonable times and hours, subject to the further order of this Court. It is Ordered that the said Leroy Calvin Richarts pay to Geraldine Louise Richarts the sum of \$10.00 per week for the support of Beverly Jean Richarts and \$10.00 per week for the support of Michael Allen Richarts, until they marry, die or become self-supporting, subject to the further order of this Court.

It is further Ordered that the defendant, Leroy Calvin Richarts, pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. [Signature]
Associate Judge

JEANNETTE ROTHSTEIN	*	IN THE
Complainant	*	CIRCUIT COURT
-vs-	*	FOR
MILTON ROTHSTEIN	*	CARROLL COUNTY
Respondent	*	(In Equity)
	*	Docket
	*	Folio
	*	File No.

* * *

DE C R E E

The above entitled case coming on for hearing in open Court on Bill of Complaint and Answer thereto, testimony having been taken and the matter having been heard and considered, it is this 5th day of July, 1968, by the CIRCUIT COURT FOR CARROLL COUNTY (In Equity),

ADJUDGED, ORDERED and DECREED:

1. That JEANNETTE ROTHSTEIN, Complainant, be, and she is hereby, granted a divorce A Vinculo Matrimonii from the Respondent, MILTON ROTHSTEIN.
2. That the Complainant is hereby authorized to resume the use of her maiden name, JEANNETTE LEVIN.
3. That the Respondent shall pay the costs of these proceedings.

E. O. Weant, Jr.
JUDGE

Filed July 5, 1968.

EUGENE A. BAUERLIEN	:	IN THE
67 Liberty Street	:	CIRCUIT COURT
Westminster, Maryland 21157	:	FOR
Complainant	:	CARROLL COUNTY
vs.	:	
ANNA LOUISE BAUERLIEN	:	
38 Ward Avenue	:	
Westminster, Maryland 21157	:	Case No. 11409 In Equity
Respondent	:	

DE C R E E

The Bill of Complaint, Answer, evidence, and all other papers in these proceedings having been duly read and considered, it is thereupon this 5th day of July, 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED and DECREED that the Complainant, Eugene A. Bauerlien, be and he is hereby divorced A VINCULO MATRIMONII from the Defendant, Anna Louise Bauerlien.

It is further ADJUDGED, ORDERED and DECREED that the care and custody of the minor child of the parties, namely, Kimberly Ann Bauerlien, be and is hereby granted to the Respondent Anna Louise Bauerlien subject to the further Order of this Court; and it is further ORDERED and DECREED that the Complainant, Eugene A. Bauerlien, be and he is hereby granted the right and privilege to visit said child at all reasonable times and places; and the Complainant is charged generally with the support of said child.

It is further ORDERED that the Complainant pay the costs of these proceedings.

E. O. Weant, Jr.
JUDGE

Filed July 5, 1968.

ROBERT LeROY ARRINGTON
100 Carroll Avenue
P. O. Box 148
Mt. Airy, Carroll County, Maryland

Plaintiff

vs

GRACE ELIZABETH ARRINGTON
c/o Mr. John H. Brown
Main Street
Mt. Airy, Carroll County, Maryland

Defendant

IN THE
CIRCUIT COURT
FOR

CARROLL COUNTY

Docket No. 21
Folio No. 41
Equity No. 11372

DECREE

This cause standing ready for hearing, testimony having been heard in open Court, and the proceedings were by the Court read and considered.

It is thereupon this 9th day of July, 1968, by the Circuit Court for Carroll County, In Equity, adjudged, ordered and decreed, that the said Robert LeRoy Arrington, the above named complainant be, and he is hereby, DIVORCED A VINCULO MATRIMONII from the Defendant, Grace Elizabeth Arrington.

The Plaintiff shall pay the costs herein.

Edward O. Weant, Jr.
Edward O. Weant, Jr.
Judge

Filed July 9, 1968

DELORES E. LEWIS
Complainant

vs.

PIERCE N. LEWIS
Respondent

IN THE CIRCUIT COURT
FOR CARROLL COUNTY
WESTMINSTER, MARYLAND
EQUITY NO. 11360

* * *

DECREE

This Cause coming on for hearing on the 14th day of June, 1968, the Complainant Delores E. Lewis, testified together with her witnesses. The Respondent Pierce N. Lewis, and his Solicitor failed to appear, the proceedings were read and considered together with the testimony of the Complainant and her witnesses.

It is this 16th day of July, 1968, by the Circuit Court for Carroll County, Westminster, Maryland, sitting in Equity, ORDERED, that the Complainant, Delores E. Lewis, be and she is hereby Divorced A Vinculo Matrimonii from the Respondent Pierce N. Lewis.

It is further ORDERED, that the terms of the Agreement dated February 6th, 1968, and entered into by the parties and introduced in these proceedings shall be incorporated in and become a part of this Decree, except as to the custody, maintenance, support and guardianship of the three (3) infant children of the parties hereto namely Debra Jean Lewis born October 16, 1958; Robin Lynn Lewis born February 1, 1960; and Virginia Daun born July 14, 1962, shall be subject to the further order of this Court.

And it is further Ordered, that the Respondent Pierce N. Lewis, pay the costs of these proceedings as taxed by the Clerk of this Court.

Edward O. Weant, Jr.
Judge

Filed July 11, 1968

HARRIET D. GRIMES, Infant by
HELEN B. SIBLE, her mother and
next friend
Houcksville Road
Bampstead, Maryland

Plaintiff

vs

DAVID W. GRIMES
22 Westminster Street
Manchester, Maryland

Defendant

NO. 11258 EQUITY

IN THE

CIRCUIT COURT

FOR

CARROLL COUNTY

DECREE

This matter came on for hearing on July 5, 1968, a decree pro confesso having been taken against the Defendant, who, although duly summoned, neither answered nor appeared. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this ~~25th~~ day of July, 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Harriet D. Grimes, be, and she is hereby divorced a vinculo matrimonii from her husband, the Defendant, David W. Grimes. And it is further ADJUDGED, ORDERED AND DECREED that the Plaintiff be, and she is hereby, awarded the permanent care and custody of the infant child of the parties, namely, Jeffrey W. Grimes (born July 14, 1966). And it is further ORDERED that the Defendant pay unto the Plaintiff the sum of ~~\$25.00~~ per week for the support and maintenance of the infant child of the parties until said child reaches the age of twenty-one (21) years, dies, marries or becomes self-supporting, whichever shall first occur. And it further is ORDERED that the Plaintiff is entitled to receive permanent alimony but the amount thereof shall be left open for the future determination of this or any other Court having appropriate jurisdiction. The foregoing provisions of this Decree pertaining to custody, support and maintenance, and alimony are and shall remain subject

Filed July 25, 1968

to the further Order of this Court. And the Defendant is hereby ORDERED to pay the sum of ~~\$75.00~~ as a counsel fee for the attorney for the Plaintiff for his services rendered to her in this proceeding, and he is also directed to pay the costs of these proceedings as taxed by the Clerk of this Court.

E. C. Weant, Jr.
E. C. WEANT, JR., ASSOCIATE JUDGE

LENA J. KELLY * IN THE CIRCUIT COURT
 * Complainant * FOR CARROLL COUNTY
 vs. * WESTMINSTER, MARYLAND
 MICHAEL W. KELLY * EQUITY NO. 11353
 Respondent *

* * *
DECREE

This Cause coming on for hearing on the 19th day, of July, 1968, the Complainant Lena J. Kelly, testified together with her witnesses. The Respondent Michael W. Kelly failed to appear, the proceedings were read and considered together with the testimony of the Complainant and her witnesses.

It is this 25th day of July, 1968, by the Circuit Court for Carroll County, Westminister, Maryland, sitting in Equity, ORDERED, that the Complainant Lena J. Kelly, be and she is hereby Divorced A Vinculo Matrimonii from the Respondent Michael W. Kelly.

It is further ORDERED, that the terms of the Agreement dated October 7th, 1966, and entered into by the parties and introduced in these proceedings shall be incorporated in and become a part of this Decree.

And it is further ORDERED, that the Respondent, Michael W. Kelly, pay the costs of these proceedings as taxed by the Clerk of this Court.

E. C. [Signature]
 Judge

Filed July 25, 1968

LOCHIEL KYLE McELROY * IN THE
 Plaintiff * CIRCUIT COURT
 vs. * FOR
 RAY NEELY McELROY * CARROLL COUNTY
 Defendant * IN EQUITY No. 11429
 * * * * *

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court, and both parties were represented by counsel, and testimony was taken in open court on 26 July 1968.

WHEREUPON, it is this 30th day of July, 1968, by the Circuit Court of Carroll County, Sitting in Equity,

ADJUDGED, ORDERED AND DECREED that the Plaintiff, Lochiel Kyle McElroy, be and is hereby divorced A Vinculo Matrimonii from the Defendant, Ray Neely McElroy, and, it is further

ADJUDGED, ORDERED AND DECREED that the Plaintiff, Lochiel Kyle McElroy, be and she is hereby granted the custody and guardianship of the infant child of the parties, namely, Gregory Lee McElroy, ~~born 31 January 1963~~, with the right and privilege on the part of the Defendant to visit said child at reasonable times; and, it is further

ADJUDGED, ORDERED AND DECREED that the Defendant, Ray Neely McElroy, pay unto Lochiel Kyle McElroy, the sum of Ten (\$10.00) Dollars per week for support and maintenance of said infant child as per agreement between the parties hereto, which agreement is appended hereto and made a part hereof, except that all references to any restriction against moving said infant child from the State of Maryland or Virginia as stated in said agreement be declared null and void, all of which is subject to the further order of the Court; ~~the right to alimony~~ is hereby waived by Plaintiff; and, it is further

Filed July 30, 1968

ORDERED that the Defendant, Ray Neely McElroy, pay the costs of these proceedings as taxed by the Clerk of this Court.

E. C. Ward
JUDGE

JOAN M. JOY
Plaintiff
vs.
THOMAS F. JOY
Defendant

NO. 11342 EQUITY
IN THE
CIRCUIT COURT
FOR
CARROLL COUNTY

DECREE

By the Bill of Complaint filed in this cause, the Plaintiff seeks a divorce a vinculo matrimonii from the Defendant on the ground of voluntary separation. She also seeks the custody and guardianship of the infant children, Jo Ann Joy and Judy Elaine Joy, and support for said children.

The Defendant, who could not be found by the Sheriff, was proceeded against as if a nonresident, and an Order of Publication was duly published in The Democratic Advocate, a newspaper published in this county. After the passage of a decree pro confesso against the Defendant who neither answered nor appeared, testimony was taken in open court on July 26, 1968.

The proof in this case shows that the Plaintiff and Defendant have voluntarily lived separate and apart and that there is no hope of a reconciliation. It is therefore this 30th day of July, 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED and DECREED that the Plaintiff, Joan M. Joy, be, and she is hereby, divorced a vinculo matrimonii from the Defendant, Thomas F. Joy; and it is further Adjudged, Ordered and Decreed that the custody and guardianship of the infant children, Jo Ann Joy (born June 14, 1962) and Judy Elaine Joy (born January 4, 1964), be awarded to the Plaintiff, Joan M. Joy; and it is further Adjudged, Ordered and Decreed that the terms of an Agreement between the parties hereto dated August 6, 1966, be, and they are hereby incorporated into this Decree and specifically that

Filed - July 30, 1968

part of the Agreement relating to child support, as follows: "the said Thomas F. Joy agrees to pay \$20.00 per week for the support and maintenance of the said children. The said Thomas F. Joy shall also pay all medical bills in addition to the \$20.00 per week support for the two infant children." It is further Adjudged, Ordered and Decreed that the foregoing provisions of this Decree pertaining to custody and support of the infant children are and shall remain subject to the further order of this court.

E. O. Weant, Jr.
E. O. WEANT, JR., JUDGE

F. ELIZABETH SHIPE
Plaintiff
vs
ORA D. SHIPE
Defendant

NO. 11382 EQUITY
IN THE
CIRCUIT COURT
FOR
CARROLL COUNTY

DECREE

By Bill of Complaint filed in this cause, the Plaintiff seeks a divorce a vinculo matrimonii from the Defendant on the ground of abandonment and also seeks custody of Catherine R. Shipe, the only child of the parties who remains an infant.

After personal service, the Defendant failed to appear and answer the Bill of Complaint in the time limit therefor and a Decree Pro Confesso was passed on June 20, 1968. Upon receiving testimony in open court, it appears that the Defendant did constructively abandon his wife and children and that the Plaintiff is entitled to a divorce a vinculo matrimonii and to the custody and guardianship of the remaining infant child of the parties, namely, Catherine R. Shipe.

It is therefore this ^{30th} day of ^{July}, 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED and DECREED that the Plaintiff be, and she is hereby divorced a vinculo matrimonii from the Defendant, Ora D. Shipe, and it is further Adjudged, Ordered and Decreed that the Plaintiff, F. Elizabeth Shipe, be, and she is hereby awarded permanent custody and guardianship of the infant child of the parties, namely, Catherine R. Shipe, subject to further order of this court. And it is further Ordered that the Plaintiff, F. Elizabeth Shipe, pay the costs of this proceeding as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE
JUL 30 1968

Filed - July 30, 1968

VONDA LEE HARMON
Plaintiff
vs
JOHN MAHLON HARMON
Defendant

NO. 11424 EQUITY
IN THE
CIRCUIT COURT
FOR
CARROLL COUNTY

DECREE

This matter came on for hearing on Friday, July 26, 1968, the Defendant having filed his answer in proper person but not appearing. Upon receiving testimony in open court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this 30th day of July, 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED and DECREED that the Plaintiff, Vonda Lee Harmon, be, and she is hereby divorced a vinculo matrimonii from the Defendant, John Mahlon Harmon. And it is further Adjudged, Ordered and Decreed that the terms of an Agreement between the parties hereto dated September 17, 1966, be, and they are hereby incorporated in this Decree and specifically those parts pertaining to custody and support of the infant children of the parties, as follows: "That the said Wife shall have the care, custody, control and guardianship of the infant children of the parties hereto, namely, Mark Edward Harmon, born April 12, 1962, and James Mahlon Harmon, born October 26, 1963; that the said Husband shall pay unto said Wife, accounting from this date, by way of support, maintenance and welfare for said children the sum of Ten Dollars (\$10) per week per child, until each child reaches the age of twenty-one years, marries, dies, or becomes self-supporting, whichever shall first occur; and the said Wife agrees that the said Husband shall have rights of reasonable visitation with said children." It is further Adjudged, Ordered and Decreed that the foregoing provisions of this Decree pertaining to custody and support of the infant children are and shall remain subject to the further order of this court.

Filed July 30, 1968

E. O. WEANT, JR. - JUDGE

JOHN H. SPENCE
49 Fairmount Road
Hampstead, Maryland 21074
Plaintiff
vs.
LEE HUI CHO
a /k /a JACKIE LEE SPENCE
25 Yinlien, 2nd Village
Chinswi, Taichung
Taiwan, Republic of China
Defendant

IN THE
CIRCUIT COURT
FOR
CARROLL COUNTY
EQUITY
Docket: 20
Folio: 224
File: 11217

DECREE OF DIVORCE

This matter comes before this Honorable Court on a Supplemental Bill of Complaint.

Testimony having been taken and counsel for both parties having been heard, it is this 31st day of July, 1968, by the Circuit Court for Carroll County,

ADJUDGED, ORDERED AND DECREED, that the Plaintiff, JOHN H. SPENCE, be and he is hereby divorced A Vinculo Matrimonii from LEE HUI CHO, a/k/a JACKIE LEE SPENCE;

AND IT IS FURTHER ORDERED, that JOHN H. SPENCE pay the costs of these proceedings.

JUDGE

HOOPER, KIEFER,
SACHS, TABLER
& CORNELL
BALTIMORE, MD. 21202

Filed - July 31, 1968

DIVORCE BOOK

Square Corners

DIVORCE BOOK

Square Corners

LeROY CALVIN BAUBLITZ
 Craigtown Road, Route 1
 Port Deposit
 Cecil County, Maryland

Plaintiff and
 Cross-Defendant

vs

PAULA LONG BAUBLITZ
 Hillendale Trailer Court
 Lot No. 67
 Finksburg, Carroll County
 Maryland

Defendant and
 Cross-Plaintiff

NO. 11184 EQUITY
 IN THE
 CIRCUIT COURT
 FOR
 CARROLL COUNTY

DECREE

This matter came on for hearing on July 19, 1968, on the Amended Cross-Bill of Complaint and Answer thereto, other pleadings in the case having been dismissed by the respective counsel for the parties. Both the Plaintiff and the Defendant were present in Court and represented by counsel. Upon receiving testimony in open Court, it appears that the Cross-Plaintiff is entitled to the relief prayed.

It is therefore this 23rd day of July, 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Cross-Plaintiff, Paula Long Baublitz, be, and she is hereby divorced a vinculo matrimonii from her husband, the Cross-Defendant, LeRoy Calvin Baublitz. And it is further ADJUDGED, ORDERED AND DECREED that the Cross-Plaintiff be, and she is hereby, awarded the permanent care and custody of the infant child of the parties, namely, Natalie Jeanne Baublitz, born January 23, 1966; and the Cross-Defendant, LeRoy Calvin Baublitz, is hereby ORDERED to pay unto the Cross-Plaintiff the sum of Fifteen Dollars (\$15) per week for the support and maintenance for said child, until said child reaches the age of twenty-one (21) years, dies, marries or becomes self-supporting, whichever shall first occur; and it is further ORDERED that the Cross-Defendant pay all proper medical and surgical expenses for the said Natalie Jeanne Baublitz of an unusual or nonroutine nature. The foregoing provisions with respect to custody and

Filed Aug 1, 1968

support of the infant child of the parties are and shall remain subject to the further order of this Court. And the Cross-Defendant is hereby ORDERED to pay the sum of Seventy-five Dollars (\$75) as a counsel fee to the attorney for the Cross-Plaintiff for his services rendered to her in this cause; and the Cross-Defendant is also directed to pay the costs of this proceeding as taxed by the Clerk of this Court.

E. O. Weant, Jr.
 E. O. WEANT, JR., ASSOCIATE JUDGE

EDGAR JAMES SHAFFER	*	IN THE
	*	
Complainant	*	CIRCUIT COURT
	*	
vs.	*	FOR
	*	
HELEN IRENE SHAFFER	*	CARROLL COUNTY
	*	
Respondent	*	Equity No. 11399
		21/56

DECREE OF DIVORCE

The Bill of Complaint filed herein having come on for hearing on August 2, 1968, Plaintiff having appeared in person, Defendant having filed her response in the proceeding, evidence having been taken before the Court and good cause appearing therefor, it is this 2nd day of August, 1968, by the Circuit Court for Carroll County, ORDERED, ADJUDGED and DECREED, that Edgar James Shaffer, Plaintiff, be and he is hereby divorced a vinculo matrimonii from Helen Irene Shaffer, Defendant;

And it is further ORDERED that Plaintiff pay the costs of these proceedings.

E. O. Weant, Jr.
Judge

Filed Aug 2, 1968

BEATRICE ROMAINE JOHNSON	§	NO. 11361 EQUITY
	§	
Plaintiff	§	IN THE
	§	
vs	§	CIRCUIT COURT
	§	
JOHN THOMAS JOHNSON	§	FOR
	§	
Defendant	§	CARROLL COUNTY

DECREE

This matter came on for hearing on August 2, 1968, both parties being present in Court. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this 6th day of August, 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED and DECREED that the Plaintiff, Beatrice Romaine Johnson, be, and she is hereby divorced a vinculo matrimonii from her husband, the Defendant, John Thomas Johnson. And it is further Adjudged, Ordered and Decreed that the Plaintiff be, and she is hereby awarded the permanent care and custody of the infant child of the parties, namely, Carol Lynn Johnson (born January 30, 1965). And it is further Ordered that the Defendant pay unto the Plaintiff the sum of \$25.00 per week for the support and maintenance of the infant child of the parties until said child reaches the age of twenty-one (21) years, dies, marries or becomes self-supporting, whichever shall first occur. And it is further Ordered that the Defendant pay unto the Plaintiff the sum of \$5.00 per week permanent alimony. The foregoing provisions of this Decree pertaining to custody, support and maintenance, and alimony are and shall remain subject to the further order of this Court. And the Defendant is hereby Ordered to pay the sum of \$50.00 as a counsel fee for the attorney for the Plaintiff for his services rendered to her in this proceeding, and he is also directed to pay the costs of these proceedings as taxed by the Clerk of this Court.

WAC 8 11 1968

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

Filed - Aug. 6, 1968

MERLE E. NEIDERER * IN THE CIRCUIT COURT
 Complainant FOR CARROLL COUNTY
 vs. * WESTMINSTER, MARYLAND
 NAOMI E. NEIDERER * EQUIT NO. 11403
 Respondent *

* * *

DECREE

This Cause coming on for hearing on the 16th day, of August, 1968, the Complainant Merle E. Neiderer, testified together with his witnesses. The Respondent, Naomi E. Neiderer failed to appear in person or by her solicitor, the proceedings were read and considered together with the testimony of the Complainant and his witnesses.

It is this 16th day of Aug., 1968, by the Circuit Court for Carroll County, at Westminster, Maryland, sitting in Equity, ORDERED, that the Complainant Merle E. Neiderer, be and he is hereby DIVORCED A VINCULO MATRIMONII, from the Respondent Naomi E. Neiderer.

It is further ORDERED, that the Respondent Naomi E. Neiderer, shall have the care and custody of the six children born as the result of the said marriage, namely, Barbara A. Neiderer born August 7, 1947, Gary Neiderer born December 5, 1948, the two of whom are self supporting, Charles W. Neiderer born February 9, 1952, Michael P. Neiderer born March 20, 1954, Patricia Neiderer born July 23, 1955, and Wayne D. Neiderer born December 15, 1965, are to remain in the care and custody of the Respondent, and the Complainant is to pay to the Respondent the sum of \$45.00 per week for their maintenance and support, until the said children are twenty-one years of age or self supporting, which ever first shall occur.

Filed - Aug. 20, 1968

And it is further ORDERED, that the Complainant Merle E. Neiderer, pay the costs of these proceedings as taxed by the Clerk of this Court.

E. A. Neiderer
 Judge

CLYDE WILLIAM NAUGLE		NO. 11393 EQUITY
Plaintiff		IN THE
vs		CIRCUIT COURT
BLANCHE LOUISE NAUGLE		FOR
Defendant		CARROLL COUNTY

DECREE

This matter came on for hearing on Friday, July 26, 1968. The Defendant filed her answer through her attorney but elected not to appear in court. Upon receiving testimony in open court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this 30th day of *August*, 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED and DECREED that the Plaintiff, Clyde William Naugle, be, and he is hereby divorced a vinculo matrimonii from the Defendant, Blanche Louise Naugle. And it is further Adjudged, Ordered and Decreed that the terms of an Agreement between the parties hereto dated October 21, 1966, be, and they are hereby incorporated in this Decree and specifically those parts pertaining to custody and support of the infant children of the parties, as follows: "The said Wife shall have the care, custody, guardianship and control of Allen Daniel Naugle and Tammy Lynn Naugle; and the said Husband will pay unto the said Wife by way of support, maintenance and welfare for the children in her custody the sum of Ten Dollars (\$10) per week for each child, accounting from the date of this Agreement, until each child reaches the age of twenty-one years, dies, marries or becomes self-supporting, whichever shall first occur. . . The said Husband shall have the care, custody, guardianship and control of Clyde William Naugle, Jr. . . " It is further Adjudged, Ordered and Decreed that the Plaintiff shall pay the costs of this proceeding as taxed by the Clerk of this court. It is further Adjudged, Ordered and Decreed

Filed Aug. 30, 1968

that the foregoing provisions of this Decree pertaining to custody and support of the infant children are and shall remain subject to the further order of this court.

E. O. Weant, Jr.
E. O. WEANT, JR.---JUDGE

JAMES R. HELM : No. 11423 EQUITY
 5 Anita Drive :
 Westminster, Md. 21157 : IN THE
 Complainant : CIRCUIT COURT
 vs. : FOR
 NANCY S. HELM : CARROLL COUNTY
 Pennsylvania Avenue Ext'd.
 Westminster, Md. 21157 :

DECREE OF COURT

This matter came on for hearing, and testimony having been taken in open Court. Although it appears that the Defendant was duly summoned, she neither appeared nor answered, and a Decree Pro Confesso was passed.

Therefore, it is this *23rd* day of *Aug.*, 1968, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED AND DECREED, that the Complainant, James R. Helm, be, and he is hereby, divorced a vinculo matrimonii from the Defendant, Nancy S. Helm.

AND it is further ORDERED that the Defendant, Nancy S. Helm, shall have the guardianship and custody of Scott Radcliffe Helm; Kevin Richard Helm and Deborah Lynn Helm, the minor children of the parties in this proceeding, and that the said Complainant, James R. Helm, shall pay directly to the Defendant, Nancy S. Helm, the sum of \$125.00 per month for the maintenance and support of the said children, as provided in the Separation Agreement which is made a part of this Decree and accounting from the date of this Decree, with the right of the Complainant to visit the said children at all reasonable times and hours, subject to the further Order of this Court.

AND it is further ORDERED that the Complainant, James R. Helm, pay the costs of these proceedings as taxed by the Clerk of this Court.

E. C. Weant, Jr.
 JUDGE
 Filed Aug. 23, 1968

CAROLYN LEE DAVIS : NO. 11323 EQUITY
 Route 4, Park Avenue :
 Mt. Airy, Maryland : IN THE
 Plaintiff : CIRCUIT COURT
 vs. : FOR
 JACK DAVIS : CARROLL COUNTY
 9407 Kings Highway
 Brooklyn, New York :
 Defendant :

DECREE

This matter came on for hearing on July 5, 1968, a decree pro confesso having been taken against the Defendant, who, although duly summoned, neither answered nor appeared. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this *23rd* day of July, 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Carolyn Lee Davis, be, and she is hereby divorced a vinculo matrimonii from her husband, the Defendant, Jack Davis. And it is further ADJUDGED, ORDERED AND DECREED that the Plaintiff is entitled to alimony and she is hereby authorized to institute further proceedings to determine the amount thereof; and it is further ORDERED that the Plaintiff pay the costs of these proceedings as taxed by the Clerk of this Court.

E. C. Weant, Jr.
 E. C. WEANT, JR., ASSOCIATE JUDGE

Filed Sept 5, 1968

DIVORCE BOOK

Square Corners

DIVORCE BOOK

Square Corners

PAUL L. TESTERMAN : NO. 11443 EQUITY
 Plaintiff : IN THE
 vs. : CIRCUIT COURT
 DORIS J. TESTERMAN : FOR
 Defendant : CARROLL COUNTY


DECREE

The above matter having been heard in open Court and the Court being satisfied that there has been a voluntary separation between the parties hereto for more than eighteen months prior to the filing of the Bill of Complaint in this Cause.

It is, thereupon, this 6th day of September, 1968, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED and DECREED that the above named Plaintiff, Paul L. Testerman, be and he is hereby divorced from the Defendant, Doris J. Testerman, a vinculo matrimonii.

It is further ORDERED and DECREED that the custody of the infant daughter of the parties hereto, Paula Jean Testerman, shall be awarded to the Defendant, Doris J. Testerman, and that the Plaintiff shall pay unto the Defendant the sum of \$7.50 weekly, upon demand of the Defendant, for the support of said infant daughter, subject to the further order of this Court.

It is further ORDERED and DECREED that the terms of the separation agreement dated October 20, 1966, filed herein as Exhibit A, be and the same is hereby incorporated into this decree as a part hereof by reference.


 Judge.

Filed- SEPT 6, 1968

GLORIA L. FARVER : NO. 11363 EQUITY
 Plaintiff : IN THE
 vs. : CIRCUIT COURT
 FRED F. FARVER : FOR
 Defendant : CARROLL COUNTY

DECREE

This matter came on for hearing on Friday, August 23, 1968, at which time the Defendant did not appear but his attorney, David H. Taylor, was present on his behalf and cross-examined all witnesses. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this 6th day of September, 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Gloria L. Farver, be, and she is hereby, divorced a mensa et thoro from her husband, the Defendant, Fred F. Farver. And it is hereby declared to be the duty of each of them to live chastely during their separation, and it will be criminal and an act void in law for either of them, during the life of the other, to contract marriage with any other person. And it is further ADJUDGED, ORDERED AND DECREED that the Plaintiff be, and she is hereby, awarded the permanent care, custody and control of the infant children of the parties, namely, Jerry Francis Farver (born April 18, 1949), Jackie Lee Farver (born October 5, 1950) and Jody Mark Farver (born March 22, 1958); and it is hereby ORDERED that the Defendant pay unto the Plaintiff by way of support, maintenance and welfare for said infant children the sum of \$10.00 per week for each child until each child reaches the age of twenty-one years, dies, marries or becomes self-supporting, whichever shall first occur. The right and privilege on the part of the Defendant to visit with said children is hereby denied at this time; however, the foregoing provisions of this decree pertaining to custody,

support and visitation privileges are and shall remain subject to the further order of this Court. It is further ADJUDGED, ORDERED AND DECREED that the Plaintiff is entitled to receive from the Defendant alimony for her support and maintenance, and she is hereby authorized to institute appropriate proceedings to determine the amount thereof and enforce this Order. And it is further ORDERED that the Defendant pay the costs of this proceeding as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

Raymond H. Feeser
72 York Street
Taneytown, Maryland 21787

Plaintiff

-v-

Hilda M. Feeser
Rosewood State Hospital
Building K
Owings Mills, Maryland

Defendant

No. 11,437 Equity

In The

Circuit Court

for

Carroll County,

Maryland

21/77

DECREE

This cause standing ready for hearing, testimony having been heard in open Court, and the proceedings were by the Court read and considered.

It is thereupon, this 6th day of September, 1968, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED, that the said Raymond H. Feeser, the above named complainant be, and he is hereby, DIVORCED A VINCULO MATRIMONII from the Defendant, Hilda M. Feeser.

And it is further ordered, that the said Raymond H. Feeser, Plaintiff, pay the costs of these proceedings.

E. O. Weant, Jr.
E. O. Weant, Jr., Judge

27-10 11-11-68

Filed - SEPT 19 1968

MARGARET R. NULL,	*	IN THE
	*	
Plaintiff,	*	CIRCUIT COURT
	*	
vs.	*	FOR
	*	
EDWARD EUGENE NULL, SR.,	*	CARROLL COUNTY
	*	
Defendant.	*	Equity No. 11434
	*	

DECREE OF DIVORCE

The Bill of Complaint filed in the above proceedings having come on for hearing, Plaintiff having appeared together with corroborating witness offering testimony before this Court, and Defendant having appeared by counsel, and upon consideration of testimony and evidence before the Court, it is this 13th day of September, 1968, by the Circuit Court for Carroll County, in Equity, ORDERED, ADJUDGED and DECREED that the said Margaret R. Null, the above named Plaintiff, be and she is hereby divorced a vinculo matrimonii from the Defendant, Edward Eugene Null, Sr.;

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that the guardianship and custody of Edward Eugene Null, Jr. and Christian Jennings Null, the infant children of the parties, be and the same is hereby awarded to Margaret R. Null, Plaintiff, with reasonable rights of visitation reserved to Defendant;

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that Defendant shall pay to Plaintiff the sum of TEN DOLLARS (\$10.00) per week for support of each child or a total of TWENTY DOLLARS (\$20.00) per week for their support and maintenance, and in addition, shall pay the sum of FIVE DOLLARS (\$5.00) per week on the arrearage due to Plaintiff for support found to be the sum of ONE THOUSAND ONE HUNDRED FIFTY-FIVE DOLLARS (\$1,155.00), which sums shall be paid through the office of the Clerk of this Court.

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Agreement between the parties dated September 15, 1964, an executed copy having been filed in these proceedings, be and the same is hereby approved in all other respects.

Filed SEPT 16, 1968

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Plaintiff shall pay the costs of this proceeding.

E. O. Weant, Jr.
E. O. WEANT, JR., Judge

Nancy Russell Putman
Route 4
Westminster, Maryland

Plaintiff,

vs.

Ronald T. Putman
65 George Street
Taneytown, Maryland

Defendant

No. 11457 Equity

IN THE

CIRCUIT COURT

FOR

CARROLL COUNTY

MARYLAND

D E C R E E

This cause standing ready for hearing, testimony having been heard in open Court, and the proceedings were by the Court read and considered.

It is thereupon, this 17th day of September, 1968, by the Circuit Court for Carroll County, in Equity, adjudged, ordered and decreed, that the said Nancy Russell Putman, Plaintiff in the above entitled Cause be, and she is hereby, DIVORCED A VINCHLO MATRIMONII from the Defendant, Ronald T. Putman.

And it is further ordered and decreed that the Plaintiff, Nancy Russell Putman, shall have and she is hereby granted the right to resume her maiden name of Nancy McGill Russell.

And it is further ordered, that the costs of these proceedings be paid by the said Plaintiff and Defendant equally.

E. O. Weant, Jr.
E. O. Weant, Jr., Judge

Filed - Sept. 17, 1968

JoANN B. MULLINIX

()

NO. 11428 EQUITY

§

IN THE

-v-

§

CIRCUIT COURT

§

FOR

WAYNE W. MULLINIX

§

CARROLL COUNTY

OPINION AND DECREE

This matter comes before the Court on a Bill of Complaint for divorce and custody of the children born to the parties. We are also asked to decide upon visitation rights. The grounds for divorce are alleged and have been established to be voluntary separation for the period of time required by the statute.

The question of visitation with the infant children born to the parties was previously considered by this Court in Equity No. 11180. In that case we found that the custody of the children had been agreed upon by the parties to provide that said children should be under the care and control of the mother with certain visitation rights being set forth in the agreement. The Court was asked to consider a modification of these rights. We then provided for visitation with the children by the father, Wayne W. Mullinix, for one hour each Sunday (or other day mutually agreeable to the parties) at the home of the mother, JoAnn B. Mullinix.

The said Wayne W. Mullinix is now seeking the custody of the said infant children or, in the alternative, that his rights to visit with the children be expanded. Outside of what appears to be some indiscreet dating of a married man, we can find no indication that the mother, JoAnn B. Mullinix, is an

Filed - Sept 18, 1968

unfit person to have the said children. We have had no proof of adultery. She appears to this Court to have taken good care of the children and that the custody should therefore be given to her.

The question of visitation is somewhat more difficult as we do not appear to have the desired cooperation between the parties in attempting to work out an amicable solution to this problem. As we pointed out in our previous opinion, in Equity 11180, we are hopeful that the children will develop an affection for their father which they have not heretofore shown. Apparently our hope that this would develop through his visitation with the children at the home of the mother has not accomplished the desired result. We shall therefore provide for the right to the father to take the children from the mother's home for visitations out of her presence in the hope that a proper relationship can be developed between the father and the children.

It is thereupon, this 17th day of September, 1968, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the said JoAnn B. Mullinix, the above named Plaintiff, be, and she is hereby, divorced a vinculo matrimonii from the said Defendant, Wayne W. Mullinix.

It is further ADJUDGED, ORDERED and DECREED that the said JoAnn B. Mullinix shall have the guardianship and custody of the two children born to the parties, namely, Wayne W. Mullinix, Jr. and Karen Lee Mullinix, and that the said Wayne W. Mullinix pay unto the said JoAnn B. Mullinix, by way of support and maintenance for said children, the sum of Ten Dollars (\$10.00) per week per child until such time as each child reaches the age of twenty-one (21) years, becomes self-supporting, enters the military service or marries, whichever shall first occur. The

said Wayne W. Mullinix, Sr. shall have the right of reasonable visitation with the said children away from the domicile of the said JoAnn B. Mullinix on one day of every other weekend commencing with the week of September 23rd, 1968, the particular day (Saturday or Sunday) to be selected by Wayne W. Mullinix, Sr. by at least one week's notice to the said JoAnn B. Mullinix.

It is further ORDERED that the costs of this suit as taxed by the Clerk of this Court be shared equally by the parties.

E. O. Mullinix
Associate Judge.

MARY ANNE CORUN	*	IN THE
Complainant	*	CIRCUIT COURT
vs.	*	FOR CARROLL COUNTY
CHARLES D. CORUN	*	WESTMINSTER, MARYLAND
Respondent	*	EQUITY NO. 11439

* * *

DECREE

This Cause coming on for hearing on the 13th day, of September, 1968, the Complainant Mary Anne Corun, testified together with her witnesses. The Respondent, Charles D. Corun, and his Solicitor failed to appear, the proceedings were read and considered, together with the testimony of the Complainant and her witnesses.

It is this 30th day of Sept, 1968, by the Circuit Court for Carroll County, Westminster, Maryland, sitting in Equity, ORDERED, that the Complainant Mary Anne Corun, be and she is hereby Divorced A Vinculo Matrimonii from the Respondent Charles D. Corun.

It is further ORDERED, that the terms of the Agreement dated April 11, 1968, and entered into by the parties and introduced in these proceedings shall be incorporated in and become a part of this Decree.

It is further ORDERED, that the Complainant Mary Anne Corun, shall have the care and custody of the parties two infant children, born as the result of the said marriage, namely Jeffery Scott Corun, born August 3, 1962, and Debra Lynn Corun, born September 22, 1965, and the Respondent, Charles D. Corun, is to pay to the Complainant the sum of \$175.00 per month for their maintenance and support, until the said children are twenty-one years of age or self supporting, which ever first shall occur.

Filed - Sept 30, 1968

And it is further ORDERED, that the Respondent Charles D. Corun, pay the costs of these proceedings as taxed by the Clerk of this Court.

[Signature]
Judge

JUDITH H. CALP	0	NO. 11367 EQUITY
Plaintiff	0	IN THE
VS	0	CIRCUIT COURT
JAMES E. CALP	0	FOR
Defendant	0	CARROLL COUNTY

DECREE

This matter came on for hearing on August 23, 1968, after the passage of a decree pro confesso against the Defendant. Both parties to this proceeding did, however, appear in Court and were represented by their respective counsel, T. Bryan McIntire, Esquire, representing the Plaintiff, and Lawrence A. Thomas, Esquire, representing the Defendant. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this 30th day of Sept., 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Judith H. Calp, be, and she is hereby, divorced a vinculo matrimonii from her husband, the Defendant, James E. Calp. And it is further ADJUDGED, ORDERED AND DECREED that the Plaintiff be, and she is hereby, awarded the permanent care, custody and guardianship of the infant children of the parties hereto, namely, Leah Michele Calp (born July 5, 1964) and Johanna Mae Calp (born June 23, 1965), reserving unto the Defendant, James E. Calp, however, the right and privilege to visit with said children at reasonable times; and it is hereby ORDERED that the Defendant, James E. Calp, pay unto the Plaintiff, Judith H. Calp, by way of support, maintenance and care for the infant children of the parties the sum of \$10.⁰⁰ per per child week until each child reaches the age of twenty-one years, dies, marries or becomes self-supporting, whichever shall first occur. And the Defendant is hereby ORDERED to pay the costs of this proceeding as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

Filed - Sept 30, 1968

MURRAY HARRY MILLER	*	IN THE
VS.	*	CIRCUIT COURT
JANICE E. MILLER	*	FOR
	*	CARROLL COUNTY
	*	WESTMINSTER, MARYLAND
	*	Equity 11232
	*	

DECREE

This case coming on for hearing on March 1, 1968, following a Decree Pro Confesso, the Complainant and his witness having been heard, the proceedings were read and considered by this Court.

It is this 8th day of October, 1968, by the Circuit Court for Carroll County, Westminster, Maryland sitting in Equity, ORDERED, that the Complainant, Murray Harry Miller, be and he is hereby Divorced A VINCULO MATRIMONII from the Respondent, Janice E. Miller.

And it is further ORDERED, that the Complainant, Murray Harry Miller, pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant, Jr.
Judge

Filed - Oct 8, 1968

PAUL RUSSELL VIRTZ * IN THE
Plaintiff * CIRCUIT COURT
* FOR
vs. * CARROLL COUNTY
* WESTMINSTER, MARYLAND
SANDRA KAY VIRTZ *
Defendant * Equity No. 11436
* * * * *

DECREE OF DIVORCE

The Bill of Complaint filed in the above proceedings having come on for hearing, Plaintiff having appeared together with corroborating witness offering testimony before this Court, and upon consideration of testimony and evidence before this Court it is this 11th day of October, 1968, by the Circuit Court for Carroll County, sitting as a Court in Equity, ORDERED, ADJUDGED and DECREED that the said PAUL RUSSELL VIRTZ, Plaintiff, be, and he is hereby divorced a vinculo matrimonii from SANDRA KAY VIRTZ, Defendant.

And it is further ORDERED, ADJUDGED and DECREED that the Separation Agreement between the parties, dated the 23rd day of May, 1968, a copy executed under oath having been filed in these proceedings, be, and it is hereby incorporated into and made a part of this Decree, subject to the further order of this Court with regard to the custody, support and maintenance of the minor children mentioned therein.

And it is further ORDERED, ADJUDGED and DECREED that the Plaintiff pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Meant, Jr.
E. O. Meant, Jr. - Judge

Filed Oct. 16, 1968

ALICE S. LONG * IN THE CIRCUIT COURT
vs. * FOR CARROLL COUNTY
JOHN M. LONG * WESTMINSTER, MARYLAND
* EQUITY No. 11003 / 20 / 100
* * *

DECREE

This case coming on for hearing on October 18, 1968, and all parties having been heard, the proceedings were read and considered by this Court.

It is this 22nd day of October, 1968, by the Circuit Court for Carroll County, Westminster, Maryland, sitting in Equity, ORDERED, that the Complainant, Alice S. Long, be and she is hereby DIVORCED A VINCULO MATRIMONII from the Respondent John M. Long.

It is further ORDERED, that the terms of the Agreement dated October 2, 1965, and entered into by the parties and introduced in these proceedings shall be incorporated in and become a part of this Decree, except the Complainant shall have the care and custody of the parties two infant children, namely John M. Long, born January 16, 1962 and Tammy Sue Long, born April 29, 1962, and that the Respondent is to pay to the Complainant the sum of \$ 20.00 per week for their maintenance and support, until the said children are twenty-one years of age or self supporting, whichever first shall occur.

And it is further ORDERED, that the Respondent John M. Long, pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Meant, Jr.
E. O. Meant, Jr. - Judge

E. O. Meant, Jr.
E. O. Meant, Jr. - Judge

Filed - Oct. 22, 1968

GENEVIA L. DOYLE * IN THE CIRCUIT COURT
VS. * FOR CARROLL COUNTY
EDWARD J. DOYLE * WESTMINSTER, MARYLAND
EQUITY no. 11440 21/78
*

* * *
DECREE

This case coming on for hearing on October 18, 1968, and all parties having been heard, the proceedings were read and considered by this Court.

It is this 21st day of October, 1968, by the Circuit Court for Carroll County, Westminster, Maryland, sitting in Equity, ORDERED, that the Complainant Genevia L. Doyle, be and she is hereby DIVORCED A VINCULO MATRIMONII from the Respondent Edward J. Doyle.

It is further ORDERED, that the terms of the Agreement dated December 27th, 1966, and entered into by the parties and introduced in these proceedings shall be incorporated in and become a part of this Decree; except that the amount of \$25.00 per week for the support of the parties infant child namely, Michael Edward Doyle, shall be decreased to \$12.50 per week. All subject to the further order of this Court.

And it is further ORDERED, that the Respondent Edward J. Doyle, pay the costs of these proceedings as taxed by the Clerk of this Court.

E. C. Ward
Judge.

Filed - Oct 24, 1968

MILLIE MARIE BROWN : NO. 11444 EQUITY
Plaintiff : IN THE
vs. : CIRCUIT COURT
HERBERT E. BROWN : FOR
Defendant : CARROLL COUNTY

DECREE

The above matter having been heard in open Court and the Court being satisfied that there has been a voluntary separation between the parties hereto for more than eighteen months prior to the filing of the Bill of Complaint in this Cause;

It is thereupon this 25th day of October, 1968, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED and DECREED that the above named Plaintiff, Millie Marie Brown, be and she is hereby divorced from the Defendant, Herbert E. Brown, a vinculo matrimonii.

And it is further ORDERED and DECREED that the custody of the infant son of the parties hereto, Terence Eugene Brown, be awarded to the Plaintiff, Millie Marie Brown, and that the Defendant shall pay unto the Plaintiff the sum of \$15.00 weekly, accounting from the date hereof, for the support of said child, subject to the further order of this Court, and that the Defendant shall have the right of visitation of said child, at reasonable times and for reasonable periods upon due notice thereof to the Plaintiff.

And it is further ORDERED and DECREED that the terms of the agreement between the parties hereto, dated October 25, 1968, be, and the same are hereby incorporated into this decree as a part hereof by reference.

Filed - Oct 28, 1968 *E. C. Ward*
Judge.

PAUL M. DIEHL
Route 1
New Windsor, Maryland

Plaintiff

vs

MARY LOOKINGBILL DIEHL
c/o Mrs. Moses
Linwood, Maryland

Defendant

NO. 11357 EQUITY

IN THE

CIRCUIT COURT

FOR

CARROLL COUNTY

DECREE

This matter came on for hearing on October 18, 1968, a decree pro confesso having been taken against the Defendant who, although duly summoned, neither answered nor appeared. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this 29th day of October, 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Paul M. Diehl, be, and he is hereby divorced a vinculo matrimonii from the Defendant, Mary Lookingbill Diehl. And it is further ORDERED that the Plaintiff pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

Filed - Oct. 29, 1968

ELIZABETH F. CATALANO
Route 6, Kate Wagner Road
Westminster, Maryland

Plaintiff

vs

JOSEPH D. CATALANO
(Last known address)
1328 East Second Street
Long Beach, California

Defendant

NO. 11449 EQUITY

IN THE

CIRCUIT COURT

FOR

CARROLL COUNTY

DECREE

By the Bill of Complaint filed in this cause, the Plaintiff seeks a divorce a vinculo matrimonii from the Defendant on the ground of voluntary separation. The Defendant, who is a nonresident, was served in accordance with the provisions of Rule D74(c) and Rule 105 of the Maryland Rules of Procedure by an Order of Publication duly published in The Democratic Advocate, a newspaper published in this County. After the taking of a decree pro confesso against the Defendant, who neither answered nor appeared, testimony was taken in open Court on October 25, 1968. From the testimony given in said cause, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this 4th day of November, 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Elizabeth F. Catalano, be, and she is hereby, divorced a vinculo matrimonii from the Defendant, Joseph D. Catalano. And it is further Ordered that the Plaintiff pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

Filed - Nov. 4, 1968

JOHN WILLIAM STACHNICK, JR. * CIRCUIT COURT
RT. 6 * FOR
WESTMINSTER, MARYLAND *
PLAINTIFF * CARROLL COUNTY
VS. * EQUITY # 11392
WILLIE SUE STACHNICK * 21/53
RT. 7, BOX 17 *
MT. AIRY, NORTH CAROLINA *
DEFENDANT *

* * * * *

DECREE OF DIVORCE

The Bill of Complaint filed in the above proceedings having come on for hearing, Plaintiff having appeared together with corroborating witness offering testimony before this court, and upon consideration of testimony and evidence before this Court, it is this 7th day of November 1968 by the Circuit Court for Carroll County, sitting as a Court in Equity, ORDERED, ADJUDGED AND DECREED that the said JOHN W. STACHNICK, JR., Plaintiff, be and he is hereby divorced a Vinculo Matrimonii from WILLIE SUE STACHNICK, Defendant.

And it is further ORDERED, ADJUDGED AND DECREED, that the Separation Agreement between the parties, dated February 23, 1968, a copy executed under oath having been filed in these proceedings, be, and it is hereby incorporated into and made a part of this Decree subject to the further order of this Court with regard to the custody, support and maintenance of the minor child mentioned there in, said Court recognizing the Consent Judgement of Surry County, North Carolina, with regard to custody of said child which is also incorporated into and made a part of this Decree.

And it is further ORDERED, ADJUDGED AND DECREED that the Plaintiff pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. Weant, Jr., Judge

Filed - Nov 7, 1968

NINA JOAN STENGER : , NO. 11383 EQUITY 21/47
VS : IN THE CIRCUIT COURT FOR
HERMAN EARL STENGER : CARROLL COUNTY, MARYLAND
: : : : :
: : : : :

D E C R E E

The above cause coming on for hearing, and evidence having been taken in open Court,

It is thereupon this 8th day of November, 1968, by the Circuit Court for Carroll County, Maryland, sitting as a Court of Equity, and by the authority thereof, ADJUDGED, ORDERED, AND DECREED, that the Complainant, Nina Joan Stenger, be and she is hereby divorced A VINCULO MATRIMONII from the Defendant, Herman Earl Stenger.

It is further ORDERED that the Complainant, Nina Joan Stenger, be and she is hereby granted the care and custody of Nina Joan Stenger, Herman Earl Stenger, and Harry Charles Stenger, the infant children issuing from the marriage of the parties to this cause, and the Respondent, Herman Earl Stenger, is hereby granted the right and privilege to visit with said infant children at all reasonable times and places to be agreed upon between the parties to this cause subject to the further Order of the Court.

It is further ORDERED that the Defendant, Herman Earl Stenger, pay unto the Complainant, Nina Joan Stenger, the sum of Thirty Dollars per week, accounting from the date of this Decree, for the support and maintenance of the aforesaid minor children, subject to the further Order of the Court.

It is further ORDERED that the Complainant, Nina Joan Stenger, pay the costs of these proceedings.

E. O. Weant, Jr.
JUDGE

Filed - Nov 8, 1968

THOMAS WILSON, IX : NO. 11470 EQUITY
 Plaintiff :
 vs. : IN THE
 : CIRCUIT COURT
 JANICE ELAINE WILSON :
 Defendant : FOR
 : CARROLL COUNTY

DECREE

The above matter having been heard in open Court and the Court being satisfied that there has been a voluntary separation between the parties hereto for more than eighteen months prior to the filing of the Bill of Complaint in this Cause;

IT IS THEREUPON this 8th day of November, 1968, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED AND DECREED that the above named Plaintiff, Thomas Wilson, IX, be and he is hereby divorced from the Defendant, Janice Elaine Wilson, a vinculo matrimonii.

AND it is further ORDERED and DECREED that the terms of the agreement between the parties hereto, dated January 10, 1967, be and the same are hereby incorporated into this decree as a part hereof by reference.

[Signature]
 Judge.

Filed Nov 8, 1968

HARRY L. ARBAUGH : NO. 11506 EQUITY
 Plaintiff :
 vs. : IN THE
 : CIRCUIT COURT
 BETTY C. ARBAUGH :
 Defendant : FOR
 : CARROLL COUNTY

DECREE

The above matter having been heard in open Court and the Court being satisfied that there has been a voluntary separation between the parties hereto for more than eighteen months prior to the filing of the Bill of Complaint in this Cause;

It is thereupon this 15th day of November, 1968, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED and DECREED that the above named Plaintiff, Harry L. Arbaugh, be and he is hereby divorced from the Defendant Betty C. Arbaugh, a vinculo matrimonii.

And it is further ORDERED and DECREED that the custody of the two infant sons of the parties hereto, Steven Levine Arbaugh and Robert William Arbaugh, be awarded to the Defendant, Betty C. Arbaugh, and that the Plaintiff shall pay unto the Defendant the sum of \$40.00 weekly, accounting from the date hereof, for the support of said infant children, subject to the further order of this Court, and that the Plaintiff shall have the right of visitation of said children, at reasonable times and for reasonable periods upon due notice thereof to the Defendant.

And it is further ORDERED and DECREED that the terms of the agreement between the parties hereto, dated March 3, 1967,

Filed Nov 15, 1968

be, and the same are hereby incorporated into this decree as a
part hereof by reference.

E. C. Ward
Judge.

DIVORCE BOOK

DIVORCE BOOK

Square Corners

Square Corners

be, and the same are hereby incorporated into this decree as a part hereof by reference.

Judge.

LEONARD WESLEY REISBERG

Plaintiff

Vs.

MARTHA KNIGHT REISBERG

Defendant

IN THE

CIRCUIT COURT

FOR

CARROLL COUNTY

Equity No. 11494

D E C R E E

The Bill of Complaint and Answer to Bill of Complaint having come on for hearing on November 22, 1968, Plaintiff having appeared, Defendant having appeared by counsel, and evidence having been taken in open court, it is this 2nd day of December, 1968, by the Circuit Court for Carroll County, in Equity,

ORDERED, ADJUDGED AND DECREED that the Divorce a vinculo
matrimonii prayed for in the Bill of Complaint, be, and the same is
hereby granted.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, pursuant to the request of both Plaintiff and Defendant in open Court, that all of the terms and provisions set forth in the Separation Agreement between said parties under date of April 8, 1967, the original copy of which was admitted into evidence as Plaintiff's Exhibit No. 1, be, and they hereby are, incorporated in and made a part of this Decree, the same as if fully set forth herein.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff pay the costs of this action.

E. O. WEANT, JR., Judge

Filed Dec. 2, 1968

JOYCE M. GOODWIN	0	NO. 11514 EQUITY
Plaintiff	0	IN THE
vs	0	CIRCUIT COURT
JOHN STANLEY GOODWIN	0	FOR
Defendant	0	CARROLL COUNTY

DECREE

This matter came on for hearing on November 22, 1968. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this 3rd day of December, 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Joyce M. Goodwin, be, and she is hereby divorced a vinculo matrimonii from her husband, the Defendant, John Stanley Goodwin. And it is further ORDERED that the terms of an agreement between the parties hereto dated April 10, 1968, be and they are hereby incorporated into this decree, and specifically the provisions of said agreement relating to custody and support of the infant children of the parties, as follows: "That the said Wife shall have the care, custody, guardianship and control of the infant children of the parties; namely, Michael Allen Goodwin, born August 4, 1958; Kathi Lynn Goodwin, born March 8, 1960; John Steven Goodwin, born March 19, 1964; and Lynda Kay Goodwin, born August 13, 1965; that the said Husband shall pay unto the said Wife, accounting from this date, by way of support, maintenance and welfare for said childre, the sum of Ten Dollars (\$10) per week per child, until each child reaches the age of twenty-one years, dies, marries or becomes self-supporting, whichever shall first occur; and the said Wife agrees that the said Husband shall have rights of reasonable visitation with said children." And it is further ORDERED that the Defendant pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

Filed - Dec 3, 1968

AUGUSTUS T. WRIGHT	*	IN THE CIRCUIT COURT
vs.	*	FOR CARROLL COUNTY
SHARON LEE WRIGHT	*	WESTMINSTER, MARYLAND
	*	EQUITY No. 11463 21/90

* * *

DECREE

This Cause coming on for hearing on the 22nd day of November, 1968, the Complainant Augustus T. Wright, testified together with his witness. The Respondent Sharon Lee Wright, and her Solicitor failed to appear, the proceedings were read and considered together with the testimony of the Complainant and his witness.

It is this 2nd day of December, 1968, by the Circuit Court for Carroll County, Westminster, Maryland, sitting in Equity, ORDERED, that the Complainant Augustus T. Wright, be and he is hereby DIVORCED A MENSA ET THORO from the Respondent Sharon Lee Wright.

And it is further ORDERED, that the Complainant Augustus T. Wright, pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant, Jr.
Judge

Filed - Dec 3, 1968

SYLVIA B. SINGER	0	NO. 11390 EQUITY
Plaintiff	0	IN THE
vs.	0	CIRCUIT COURT
HENRY C. SINGER	0	FOR
Defendant	0	CARROLL COUNTY

DECREE

This matter came on for hearing in open Court on November 15, 1968, and although the Defendant was not present in Court at the time of the hearing, his counsel, Malcolm B. Tebbs, Esquire, appeared on his behalf. Upon receiving testimony in open Court, it is this 6th day of December, 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ORDERED that the Plaintiff be, and she is hereby, divorced a vinculo matrimonii from her husband, the Defendant, Henry C. Singer. And it is further Ordered that the Defendant, Henry C. Singer, pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

Filed Dec 6, 1968

JOSEPHINE G. TURNBAUGH	*	IN THE
Plaintiff	*	CIRCUIT COURT
vs.	*	FOR
JOHN L. TURNBAUGH	*	CARROLL COUNTY
Defendant	*	Equity No. 11491

DECREE OF DIVORCE

The Bill of Complaint having come on for hearing on December 6, 1968, Plaintiff having appeared together with corroborating witness offering testimony before this Court, counsel having been heard, good cause appearing therefor, it is this 6th day of December, 1968, by the Circuit Court for Carroll County, in Equity, ORDERED, ADJUDGED and DECREED that JOSEPHINE G. TURNBAUGH, Plaintiff, be and she is hereby divorced a vinculo matrimonii from JOHN L. TURNBAUGH, Defendant, and that the Agreement of the parties dated September 23, 1968, be and the same is hereby incorporated by reference.

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that Plaintiff pay the costs of these proceedings.

E. O. Weant, Jr.
E. O. WEANT, JR., JUDGE

Filed Dec 6, 1968

EDMUND A. JEWETT * IN THE
 Plaintiff * CIRCUIT COURT
 vs. * FOR
 NANCY LEE JEWETT * CARROLL COUNTY
 Defendant * Equity No. 11500

DECREE OF DIVORCE

The Bill of Complaint and Answer having come on for hearing on December 6, 1968, Plaintiff having appeared together with corroborating witness offering testimony before this Court, counsel having been heard, good cause appearing therefor, it is this 6th day of December, 1968, by the Circuit Court for Carroll County, in Equity, ORDERED, ADJUDGED and DECREED that EDMUND A. JEWETT, Plaintiff, be and he is hereby divorced a vinculo matrimonii from NANCY LEE JEWETT, Defendant;

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that the care and custody of the four infant children of the parties, namely Sharon Lee Jewett, Debra Renae Jewett, Rose Marie Michele Jewett and Edmund A. Jewett, Jr. be awarded to Nancy Lee Jewett, Defendant, subject to reasonable rights of visitation to Edmund A. Jewett, Plaintiff;

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that Edmund A. Jewett, Plaintiff, shall pay unto Nancy Lee Jewett, Defendant, the sum of TEN DOLLARS (\$10.00) per week per child for the support of each child, and shall provide adequate hospitalization insurance coverage for each of said children;

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that Plaintiff pay the costs of these proceedings.

B. O. Weant, Jr.
 B. O. WEANT, JR., Judge

Filed- Dec 6, 1968

JOYCE LYNNE LEONARD
 110 Clarendon Avenue
 Pikesville, Maryland

Plaintiff

vs

RICHARD LEONARD, III
 c/o Richard Leonard, Jr.
 Liberty Road, Route #2
 Sykesville, Maryland

Defendant

In the
 Circuit Court
 for
 Carroll County
 No. 11511 Equity
 21/116

DECREE OF DIVORCE

This cause standing ready for hearing, testimony having been heard in open court, and being submitted,

It is thereupon, this 6th day of December, 1968, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the said Joyce Lynne Leonard, the above-named Plaintiff, be and she is hereby divorced a vinculo matrimonii from the Defendant, Richard Leonard, III.

And it is further ORDERED that the Plaintiff, Joyce Lynne Leonard, pay the costs of these proceedings.

G. O. Weant, Jr.
 Judge

Filed- Dec 6, 1968

JAMES E. LEWIS	0	NO. 11404 EQUITY
Plaintiff	0	IN THE
vs	0	CIRCUIT COURT
RUTH VIRGINIA LEWIS	0	FOR
Defendant	0	CARROLL COUNTY

DECREE

This matter came on for hearing on December 6, 1968, a decree pro confesso having been taken against the Defendant who, although duly summoned, neither answered nor appeared. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this *11th* day of December, 1968, by the Circuit Court for Carroll County, ADJUDGED, ORDERED AND DECREED that the Plaintiff, James E. Lewis, be, and he is hereby, divorced a vinculo matrimonii from the Defendant, Ruth Virginia Lewis. And it is further ORDERED that the Plaintiff pay the costs of this proceeding as taxed by the Clerk of this Court.

E. C. Weant, Jr.
E. C. WEANT, JR., ASSOCIATE JUDGE

Filed - Dec. 12, 1968

DIVORCE Book

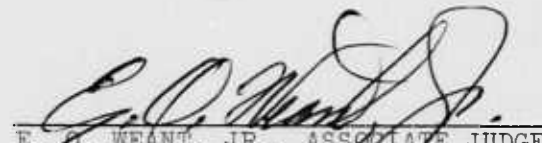
DIVORCE Book

JAMES E. LEWIS	0	NO. 11404 EQUITY
Plaintiff	0	IN THE
vs	0	CIRCUIT COURT
RUTH VIRGINIA LEWIS	0	FOR
Defendant	0	CARROLL COUNTY

DECREE

This matter came on for hearing on December 6, 1968, a decree pro confesso having been taken against the Defendant who, although duly summoned, neither answered nor appeared. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this 11th day of December, 1968, by the Circuit Court for Carroll County, ADJUDGED, ORDERED AND DECREED that the Plaintiff, James E. Lewis, be, and he is hereby, divorced a vinculo matrimonii from the Defendant, Ruth Virginia Lewis. And it is further ORDERED that the Plaintiff pay the costs of this proceeding as taxed by the Clerk of this Court.


E. O. WEANT, JR., ASSOCIATE JUDGE


Filed - Dec 12, 1968

HARVEY JAMES HARDESTY	*	IN THE
Plaintiff	*	CIRCUIT COURT
vs.	*	FOR
JANICE A. HARDESTY	*	CARROLL COUNTY
Defendant	*	Equity No. 11481

DECREE OF DIVORCE

The Bill of Complaint and Answer having come on for hearing on December 13, 1968, Plaintiff having appeared together with corroborating witness offering testimony before this Court, counsel having been heard, good cause appearing therefor, it is this 13th day of December, 1968, by the Circuit Court for Carroll County, in Equity, ORDERED, ADJUDGED and DECREED that HARVEY JAMES HARDESTY, Plaintiff, be and he is hereby divorced a vinculo matrimonii from JANICE A. HARDESTY, Defendant, and that the Agreement of Separation of the parties dated February 25, 1967 be and the same is hereby incorporated by reference.

And it is further ORDERED, ADJUDGED and DECREED that Plaintiff pay the costs of these proceedings.


E. O. WEANT, JR., Judge

Filed Dec 13, 1968

ERMA B. NEWHOUSE	:	No. 11480 Equity
208 Pennsylvania Avenue	:	
Westminster, Maryland 21157	:	in the
Plaintiff	:	Circuit Court
vs.	:	for
JOHN H. NEWHOUSE	:	Carroll County
Tate's nursing Home	:	
Louisville, Kentucky	:	
Defendant	:	

DECREE

On December 13, 1968, testimony was taken in open Court in the above entitled Cause. Upon receiving said testimony it appears to the Court that the Plaintiff is entitled to the relief prayed.

It is therefore this 13th day of December, 1968, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Erma B. Newhouse, be and she is hereby, divorced a vinculo matrimonii from the Defendant, John H. Newhouse; and it is further ADJUDGED, ORDERED AND DECREED that the Plaintiff, Erma B. Newhouse be and she is granted the custody of the infant child, Deborah K. Newhouse, born February 20, 1959, with the right and privilege on the part of the Defendant to visit said child at reasonable times.

And it is further ORDERED that the Plaintiff, Erma B. Newhouse, pay the Costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. Weant, Jr., Judge

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Filed - Dec 16, 1968

LINDA L. MARTIN	*	IN THE
	*	
Plaintiff	*	CIRCUIT COURT
vs.	*	
	*	FOR
LUTHER HOWARD MARTIN	*	CARROLL COUNTY
	*	
Defendant	*	Equity No. 11486

DECREE OF DIVORCE

The Bill of Complaint and Answer having come on for hearing on December 13, 1968, Plaintiff having appeared together with corroborating witness offering testimony before this Court, counsel having been heard, good cause appearing therefor, it is this 13th day of December, 1968, by the Circuit Court for Carroll County, in Equity, ORDERED, ADJUDGED and DECREED that LINDA L. MARTIN, Plaintiff, be and she is hereby divorced a vinculo matrimonii from LUTHER HOWARD MARTIN, Defendant, and that the Agreement of Separation of the parties dated February 3, 1967 be and the same is hereby incorporated by reference.

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that the legal name of Plaintiff, LINDA L. MARTIN, be changed and restored to LINDA LOUISE FRANCIS, her maiden name.

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that Plaintiff pay the costs of these proceedings.

E. O. Weant, Jr.
E. O. WEANT, JR., Judge

Filed - Dec. 19, 1968

ROBERT MORTON KING, SR.	0	NO. 11425 EQUITY
Plaintiff	0	IN THE
vs	0	CIRCUIT COURT
NORMA ADELINE KING	0	FOR
Defendant	0	CARROLL COUNTY

DECREE

This matter came on for hearing on December 13, 1968, on the Bill of Complaint filed by the Plaintiff in which he seeks a divorce a vinculo matrimonii from the Defendant. The Defendant by her Answer to the Plaintiff's Bill of Complaint asks that the divorce be granted as prayed, that she be awarded the custody of Kenneth Wayne King and William H. King, that she be awarded the sum of Thirty Dollars (\$30) per week for the support and maintenance of the two children in her custody, and that the Plaintiff be granted the custody of Robert Morton King, Jr.

Upon the Bill of Complaint and Answer heretofore filed in this cause and after testimony having been taken in open Court, it is this ^{19th} day of December, 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Robert Morton King, Sr., be, and he is hereby, divorced a vinculo matrimonii from the Defendant, Norma Adeline King. And it is further ORDERED that the Plaintiff be, and he is hereby, awarded the permanent care, custody and control of Robert Morton King, Jr. (born January 4, 1963). And it is further ORDERED that the Defendant, Norma Adeline King, be, and she is hereby awarded the permanent care, custody and control of Kenneth Wayne King (born January 22, 1961) and William H. King (born April 13, 1965); and the Plaintiff is hereby ORDERED to pay unto the Defendant by way of support and maintenance for said infant children the sum of Thirty Dollars (\$30) per week until each child reaches the age of twenty-one (21) years, dies, marries or becomes self-supporting.

Filed-Dec. 19, 1968

whichever event shall first occur. The foregoing provisions with respect to custody and support for said infant children are and shall remain subject to the further order of this Court. And it is further ORDERED that the Plaintiff pay the costs of this proceeding as taxed by the Clerk of this Court.

E. O. Meant, Jr.
E. O. MEANT, JR., ASSOCIATE JUDGE

ELEANOR S. WINESETT	0	NO. 11473 EQUITY
Plaintiff	0	IN THE
vs	0	CIRCUIT COURT
ROBERT N. WINESETT	0	FOR
Defendant	0	CARROLL COUNTY

DECREE

This matter came on for hearing on December 6, 1968, a decree pro confesso having been taken against the Defendant, who, although duly summoned, neither answered nor appeared. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this 23rd day of December, 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Eleanor S. Winesett, be, and she is hereby, divorced a vinculo matrimonii from the Defendant, Robert N. Winesett.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

Filed Dec 23, 1968

ROBERT Y. HOOK	0	NO. 11512 EQUITY
Plaintiff	0	IN THE
vs	0	CIRCUIT COURT
SHIRLEY A. HOOK	0	FOR
Defendant	0	CARROLL COUNTY

DECREE

This matter came on for a hearing on December 6, 1968, a decree pro confesso having been taken against the Defendant, who, although duly summoned, neither answered nor appeared. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this 23rd day of December, 1968, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Robert Y. Hook, be, and he is hereby, divorced a vinculo matrimonii from the Defendant, Shirley A. Hook. And it is further ORDERED that the Plaintiff pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

Filed Dec 23, 1968

DOROTHY MARIE DICKENS * IN THE
 Plaintiff * CIRCUIT COURT
 * FOR
 vs. * CARROLL COUNTY
 *
 KYLE EDWARD DICKENS * WESTMINSTER, MARYLAND
 Defendant * Equity No. 11502
 *

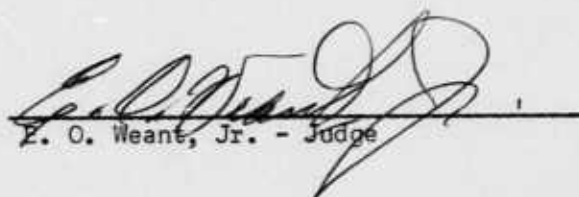
* * * * *

DECREE OF DIVORCE

The Bill of Complaint filed in the above proceedings having come on for hearing, Plaintiff having appeared together with corroborating witnesses offering testimony before this Court, and upon consideration of the testimony and evidence before this Court, it is this 3rd day of January, 1969, by the Circuit Court for Carroll County, sitting as a Court in Equity, ORDERED, ADJUDGED AND DECREED that the said DOROTHY MARIE DICKENS, Plaintiff, be, and she is hereby divorced a vinculo matrimonii from KYLE EDWARD DICKENS, Defendant.

And it is further ORDERED ADJUDGED AND DECREED that the Separation Agreement between the parties, dated the 3rd day of June, 1968, a copy executed under oath having been filed in these proceedings, be, and it is hereby incorporated into and made a part of this Decree, subject to the further order of this Court with regard to the custody, support and maintenance of the minor children named therein.

And it is further ORDERED, ADJUDGED AND DECREED that the Plaintiff pay the costs of these proceedings as taxed by the Clerk of this Court.


 E. O. Weant, Jr. - Judge

Filed Jan 3, 1969

PATRICIA L. KISNER : NO. 11303 21/2 EQUITY
 VS. : IN THE CIRCUIT COURT FOR
 : CARROLL COUNTY,
 HARVEY LEE KISNER : MARYLAND
 : : : :

D E C R E E

The above cause coming on for a hearing, the Bill of Complaint, Evidence taken in open Court, and other papers having been read and considered by the Court,

IT IS THEREUPON this 3rd day of January, 1969, by the Circuit Court for Carroll County, Maryland, sitting as a Court of Equity, and by the authority thereof, ADJUDGED, ORDERED and DECREED that the Complainant, Patricia L. Kisner, be and she is hereby divorced A VINCULO MATRIMONII from the Defendant, Harvey Lee Kisner.

It is further ORDERED that the Complainant, Patricia L. Kisner, be and she is hereby granted the care and custody of Kathryn Patricia Kisner, the infant child issuing from the marriage of the parties in this proceeding, subject to the further order of the Court.

It is further ORDERED that the Defendant, Harvey Lee Kisner, be and he is hereby granted the right and privilege to visit with said infant child at all reasonable times and places to be agreed upon between the parties to this cause, and in the event of disagreement between the parties to this cause as to the times and places of said visitations, then at such times and places as may hereafter be designated by the Court, subject to the further order of this Court.

It is further ORDERED that the Complainant pay the costs of these proceedings.


 JUDGE

Filed Jan 3, 1969

MARGARET E. KRAUSE	:	IN THE
Cross-Complainant	:	CIRCUIT COURT
VS.	:	FOR
WILLIAM L. KRAUSE	:	CARROLL COUNTY
Cross-Respondent	:	No. 11389 In Equity

DECREE

The Bill of Complaint, Answer, evidence, and all other papers in these proceedings having been duly read and considered, it is thereupon this 6th day of January, 1969, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED and DECREED that the Cross-Complainant, Margaret E. Krause, be and she is hereby divorced A VINCULO MATRIMONII from the Cross-Respondent, William L. Krause.

It is further ADJUDGED, ORDERED and DECREED that the care and custody of the minor children of the parties hereto, namely, Sharon Lee Krause and William Frank Krause, be and is hereby granted to the Cross-Complainant, subject to the further order of this Court; and it is further ORDERED and DECREED that the Cross-Respondent pay unto the Cross-Complainant the sum of Twenty-five Dollars (\$25.00) per week per child through the Clerk's Office of the Circuit Court for Carroll County, and the said Cross-Respondent shall be entitled to reasonable visits with the said minor children.

It is further ADJUDGED, ORDERED and DECREED that the Cross-Respondent pay unto the Solicitor for the Cross-Complainant the sum of Two Hundred Fifty Dollars (\$250.00) as counsel fee, and the accumulated arrearage of child support of Seven Hundred Six Dollars (\$706.00) unto the Cross-Complainant within six (6) months after the date of this Decree.

It is further ORDERED that the Cross-Respondent pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. WEANT, JR., JUDGE

Filed - Jan. 6, 1969

GEORGE M. KAZAKA	:	NO. 11488 EQUITY
Plaintiff	:	IN THE
vs	:	CIRCUIT COURT
RITA M. KAZAKA	:	FOR
Defendant	:	CARROLL COUNTY

DECREE

This matter came on for hearing on January 3, 1969. The Plaintiff, George M. Kazaka, appeared in Court with his counsel; the Defendant filed an answer to the Bill of Complaint and was represented by counsel who appeared on her behalf, but she did not appear in Court. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this 8th day of January, 1969, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, George M. Kazaka, be, and he is hereby, divorced a vinculo matrimonii from the Defendant, Rita M. Kazaka. And it is further ORDERED that the terms of an oral stipulation entered into by and between the parties hereto be and the same are hereby incorporated into and made a part of this decree, the specific terms of which are as follows: That the Plaintiff shall pay unto the Defendant by way of support and maintenance for the infant children of the parties, namely, George M. Kazaka, II (born August 2, 1964) and Marianne Kazaka (born January 8, 1966) the sum of Fifty-five Dollars (\$55) per week until each child reaches the age of twenty-one (21) years, dies, marries, or becomes self-supporting, whichever shall first occur; and that the Plaintiff shall maintain a policy of hospitalization and medical insurance for the benefit of said infant children. And it is further Ordered that the Plaintiff pay the costs of this proceeding as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

Filed - Jan. 8, 1969

Divi D
Square Corners

Divi R
Square Corners

GEORGE M. KAZAKA	*	No. 11488 Equity
Plaintiff	*	IN THE
vs.	*	CIRCUIT COURT
RITA M. KAZAKA	*	FOR
Defendant	*	CARROLL COUNTY
* * * * *		

SUPPLEMENTAL DECREE

Whereas the above entitled cause came on for hearing on January 3, 1969, and whereas a Decree was passed by this Court on the 8th day of January, 1969 granting the Plaintiff a divorce a vinculo matrimonii from the Defendant, and said Decree contained the provisions of oral stipulation agreed to by the parties; omitting, however, through inadvertence, the provision which granted custody of the minor children of the parties hereto to the Defendant, Rita M. Kazaka.

It is therefore this 24TH day of January, 1969, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the custody of the minor children of the parties hereto be, and it hereby is awarded to the Defendant, Rita M. Kazaka.

E. O. Neant, Jr.
E. O. NEANT, JR., ASSOCIATE JUDGE

Filed-Jan. 24, 1969

CHARLES E. MITCHELL	Ø	NO. 11400 EQUITY
Plaintiff,	Ø	IN THE
-v-	Ø	CIRCUIT COURT
SALLY W. MITCHELL	Ø	FOR
Defendant.	Ø	CARROLL COUNTY.

MEMORANDUM AND DECREE

This is a suit filed on behalf of Charles E. Mitchell, Plaintiff, for divorce from his wife, Sally W. Mitchell, Defendant, and a request by Mr. Mitchell for the care and custody of the infant child of the parties, Steven W. Mitchell. Two hearings were had in these proceedings, one on August 23rd and the second on November 8th. In addition, a report was requested from the Carroll County Department of Social Services as to the conditions in the home in which the mother was living. The first report was requested August 23rd, 1968 and was received on or about October 5th, 1968. Unfortunately, this report was incomplete because of the Defendant's lack of cooperation and on November 8 we again requested a report from the Carroll County Department of Social Services. A phone call to that organization sometime during the first week of January elicited the information that the case had been closed and that a report would be forthcoming in due course. It is interesting to note that the report which was finally received on January 9 indicates that the worker on the case has been informed that Mrs. Mitchell has just secured a new apartment and that the worker plans to visit there, although she has not yet done so.

The proof is more than ample to support the Plaintiff's allegation of adultery and consequently sufficient to allow this Court to grant a divorce.

Filed Jan 10, 1969

The care and custody of the child is somewhat more difficult. While the first report from the Carroll County Department of Social Services seems to indicate that this custody should be given to the father, it is based on the fact that Mrs. Mitchell refused to allow the worker to enter the premises where she was then staying for the purpose of investigation. The second report urges the Court to consider giving the care and custody of the child to the mother.

Of course, as in all similar cases, the main consideration is what is best for the child. In these cases it is generally considered that a child of tender years, in this case almost five years old, is considered to be better situated in the care and custody of the mother unless she is shown to be unfit. While we have the proof in this case that this mother has committed adultery, we do not find that this is a continuing offense and hence, according to the Court of Appeals, is not now a bar to her request for custody. Since we have no proof at this time that the mother is unfit to take care of the child, we shall award his custody to her at this time with the provision that the Carroll County Department of Social Services make periodic checks on the mother's home situation in order to ascertain that the child is being properly cared for. We think that this is particularly important in light of the fact that we do not yet have a report of the situation presently existing at the mother's new apartment.

The father, on the other hand, would be obliged to have the child live with his sister and brother-in-law. While this appears to be an acceptable arrangement, it is not felt that it would be to the best interest of the child to remove him from the custody of both parents if it can be avoided. The father

-2-

will be allowed reasonable visitation rights and be required to pay support for the child. We shall also provide that he be required to take care of all major medical expenses necessary to the well-being of the infant.

It is thereupon, this 10th day of January, 1969, by the Circuit Court for Carroll County, ADJUDGED, ORDERED and DECREED that the Plaintiff, Charles E. Mitchell, be, and he is hereby, divorced a vinculo matrimonii from the Defendant, Sally W. Mitchell.

It is ORDERED that the care and custody of the infant child, namely, Steven W. Mitchell, be, and the same is hereby, awarded to the Defendant, Sally W. Mitchell, with reasonable visitation rights given to the Plaintiff, Charles E. Mitchell, and that the Plaintiff, Charles E. Mitchell, shall pay to the Defendant, Sally W. Mitchell, the sum of Ten Dollars (\$10.00) per week, through the Clerk of this Court, toward the support of said child. He is further ORDERED to take care of all major medical expenses necessary to the well-being of the child.

It is also ORDERED that the Department of Social Services make periodic investigations for the purpose of ascertaining that the best interest of the infant child is being preserved and report the results thereof to this Court.

It is further ORDERED that the Plaintiff, Charles E. Mitchell, pay the costs of these proceedings, as taxed by the Clerk of this Court.

E. D. Mack
Associate Judge.

-3-

HILDA L. SCHUR	0	NO. 11487 EQUITY
Plaintiff	0	IN THE
vs	0	CIRCUIT COURT
PAUL L. SCHUR	0	FOR
Defendant	0	CARROLL COUNTY

DECREE

This matter came on for hearing on January 3, 1969. The Defendant filed an answer to the Bill of Complaint in proper person, but although he was duly notified of the time and date of hearing, he did not appear. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this 13th day of January, 1969, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Hilda L. Schur, be, and she is hereby divorced a vinculo matrimonii from her husband, the Defendant, Paul L. Schur. And it is further ORDERED that the Plaintiff pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

Filed Jan 13, 1969

RALPH ELMER MALONE	(1)	NO. 11478 EQUITY
Complainant	1	IN THE
"v"	1	CIRCUIT COURT
DOROTHY LOUISE MALONE, infant	1	FOR
Respondent	1	CARROLL COUNTY.

OPINION AND DECREE

Ralph Elmer Malone, Complainant, has filed suit for divorce in this matter alleging as grounds therefor that his wife, Dorothy Louise Malone, Respondent, has committed adultery. He also seeks custody of the infant child born to the parties, Ralph Elmer Malone. The Respondent has filed an answer to the bill denying the allegations of adultery.

As is invariably the case when adultery is to be proved, the parties must rely on circumstantial evidence. The elements thereof have been set forth by the Court of Appeals many times and most recently in the cases of Matakieff v. Matakieff, 246 Md. 23, at 31, and Laccetti v. Laccetti, 245 Md. 97, at 102, as follows:

"To prove adultery, the circumstantial evidence must clearly establish (1) a disposition on the part of the defendant and the paramour to commit adultery, and (2) an opportunity to commit the offense. After considering these and all other facts and circumstances in the case, the court then determines whether the evidence would convince an unprejudiced and cautious person of the guilt of the defendant."

It would appear to this Court that the elements afore- said have been proved. The uncontradicted evidence shows that the Respondent met a young man, not her husband, on at least two clandestine meetings. On August 16, 1968 she appears to have spent the evening with this young man, identified as one Raymond

Filed Nov 19, 1968

11-11-68



11-11-68

#770 E. D. Meak - 16X

Center Mark

Dotted Line



Newton, in a house which was darkened from time to time from 8:45 P.M. until 11:10 P.M. at which time she came out, was kissed by Newton and departed. On August 19 they met again and went into the same house upon which occasion the lights went out at 11:42 P.M. and by 4:34 A.M. the next morning no one had left or entered. The allegation that the two parties were alone during these periods were uncontradicted. We think that the burden of proof has been met by the Complainant.

The father also seeks the care and custody of the infant child. This does not seem to be resisted by the mother as she made no attempt to request custody of the child in question nor to allege that he was not fit to have the infant. The testimony showed that the child, while in the mother's keeping, apparently has been shifted around from place to place as would meet the convenience of the Respondent.

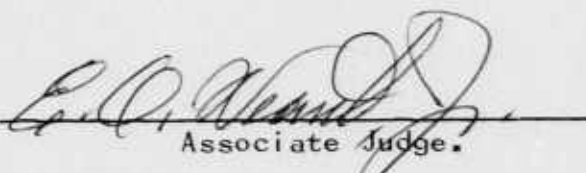
However, the Complainant has made arrangements with Harold Artz and Emma Artz, his wife, to take care of the child. The Court had an opportunity to observe these parties and it is our opinion that the welfare of the child could best be served at the present time in the custody of Mr. and Mrs. Artz, they having agreed to assume this responsibility. The father, Ralph Elmer Malone, will be charged with the child's maintenance and support.

It is, thereupon, this 19th day of November, 1968, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the Complainant, Ralph Elmer Malone, be, and he is hereby, divorced a vinculo matrimonii from the Respondent, Dorothy Louise Malone.

-2-

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Ralph Elmer Malone, the minor child of Ralph Elmer Malone and Dorothy Louise Malone, his wife, be, and the same is hereby, awarded to Harold Emerson Artz and Emma T. Artz, his wife, and it is further ORDERED that Ralph Elmer Malone, father of said child, be, and he is hereby, charged with the maintenance and support of said child. All of which is subject to the further order of this Court.

It is further ORDERED that Ralph Elmer Malone, Complainant, pay the costs of these proceedings, as taxed by the Clerk of this Court.


Associate Judge.

-3-

* * * * *

DECREE OF DIVORCE

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that the guardianship and custody of Jan B. Clark, the infant child of the parties, be and the same is hereby awarded to Basil C. Clark, Plaintiff, with reasonable rights of visitation reserved to Defendant;

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Agreement between the parties dated June 21, 1967, a copy thereof having been filed in these proceedings, be and the same is hereby approved and is incorporated herein by reference.

E. O. WEANT, JR., Judge

Filed - Jan 24, 1969

ORDER

And it is further ordered, that the Complainant pay the costs of this proceeding.

E. O. Munn
JUDGE

Filed Jan 28, 1969

BEVERLY JEAN MARTIN	§	NO. 11359 EQUITY
Plaintiff,	§	IN THE
-v-	§	CIRCUIT COURT
IVAN AUGUST MARTIN,	§	FOR
Defendant.	§	CARROLL COUNTY.

MEMORANDUM AND ORDER

In this case we have a Petition for Permanent Custody and Support of Infant Children filed on behalf of the Plaintiff, Beverly Jean Martin, against the Defendant, Ivan August Martin. This Petition was amended to include a prayer for divorce a mensa et thoro, alleging as grounds therefor voluntary separation. At the time of the filing of the suit the Court gave the custody of the children born to the parties, namely, Karen Lynn Martin and Kenneth Lamar Martin, to the Plaintiff. A hearing was had on the Amended Bill of Complaint on August 30, 1968, at which time the Court ordered the Defendant to pay Thirty Dollars (\$30.00) per week toward the support of the children in question.

The Court then proceeded to request a report from the Carroll County Department of Social Services by letter of August 30. This report was sought for the purpose of helping the Court make a determination regarding the custody of the children. It was finally received on January 30, 1969.

Since the Plaintiff has alleged the ground of voluntary separation for a divorce a mensa et thoro, we cannot give this matter our consideration at this time as we do not understand this to be one of the grounds established by the Legislature for a divorce a mensa et thoro.

In considering the custody of the children we must, of course, keep in mind that the interests of the children are paramount. Unless the mother is shown to be unfit, it is usually to the best interest and welfare of infant children to be in her care and custody if she is in a position to take care of them. In this case we find no convincing proof that the mother is in anyway unfit or incapable of properly caring for the children. The belated report of the Department of Social Services indicates that Mrs. Martin has adequate

Filed - Feb 5, 1969

facilities and arrangements to give the children the best care and treatment possible under the circumstances and we will, therefore, award their custody to the mother.

The Defendant will be ordered to continue support of these children and to pay a reasonable sum for the compensation of the Plaintiff's Attorney.

It is thereupon, this 6th day of February, 1969, by the Circuit Court for Carroll County, ADJUDGED, ORDERED and DECREED that the prayer for divorce a mensa et thoro filed herein be, and the same is hereby, denied. It is ORDERED that the Defendant, Ivan August Martin, pay to the Plaintiff, Beverly Jean Martin, the sum of Fifteen Dollars (\$15.00) per week per child, through the Clerk of the Circuit Court for Carroll County, for the maintenance and support of the infant children until such time as each child reaches the age of twenty-one (21) years, becomes self-supporting, enters the military services or marries, whichever shall first occur. It is further ORDERED that the Defendant, Ivan August Martin, pay to the Plaintiff, Beverly Jean Martin, the sum of One Hundred, Twenty-five Dollars (\$125.00) as compensation for the services of her solicitor in this matter. The said Ivan August Martin shall have the right of reasonable visitation with the said infant children.

It is further ORDERED that the costs of these proceedings, as taxed by the Clerk of this Court, be paid by the Defendant, Ivan August Martin.

E. D. Martin
Associate Judge.

Square Corners

Square Corners

EDGAR R. STRAWSBURG * IN THE CIRCUIT COURT
 VS. * FOR CARROLL COUNTY
 BARBARA E. STRAWSBURG * WESTMINSTER, MARYLAND
 * Equity No. 11113
 * * *

DECREE

This case coming on for hearing on the 31st day of January, 1969, the Respondent, Barbara E. Strawsburg, having been served by Order of Publication, failed to appear, the Complainant and his witness having been heard, the proceedings were read and considered by this Court.

It is this 7th day of February, 1969, by the Circuit Court for Carroll County, Westminster, Maryland, sitting in Equity, ORDERED, that the Complainant Edgar R. Strawsburg, be and he is hereby Divorced A VINCULO MATRIMONII from the Respondent Barbara E. Strawsburg.

And it is further ORDERED, that the Complainant Edgar R. Strawsburg, pay the costs of these proceedings as taxed by the Clerk of this Court.

E. D. Mark
 Judge

FILED
 9/10/69
 10 1 10 AM
 CLERK OF THE
 CIRCUIT COURT
 WESTMINSTER, MD

Filed - Feb 7, 1969

CHARLES W. ROSER * IN THE CIRCUIT COURT
 VS. * FOR CARROLL COUNTY
 EMILY MARY ROSER * WESTMINSTER, MARYLAND
 * Equity No. 11489
 * * *

DECREE

This case coming on for hearing on the 31st day January, 1969, following a Decree Pro Confesso, the Complainant and his witness having been heard, the proceedings were read and considered by this Court.

It is this 7th day of February, 1969, by the Circuit Court for Carroll County, Westminster, Maryland, sitting in Equity, ORDERED, that the Complainant, Charles W. Roser, be and he is hereby Divorced A Vinculo Matrimonii from the Respondent Emily Mary Roser.

And it is further ORDERED, that the Complainant Charles W. Roser, pay the costs of these proceedings as taxed by the Clerk of this Court.

E. D. Mark
 Judge

FILED
 9/10/69
 10 1 10 AM
 CLERK OF THE
 CIRCUIT COURT
 WESTMINSTER, MD

Filed - Feb 7, 1969

Ruth Ellen Shimp 55 Liberty Street Westminster, Maryland 21157	§	No. 11,534 Equity
	§	In The
Plaintiff	§	Circuit Court
-v-	§	for
Richard Dix Shimp 10 New Windsor Road Westminster, Maryland 21157	§	Carroll County, Maryland
Defendant	§	21/128

DECREE

This cause standing ready for hearing, testimony having been heard in open Court, property settlement and separation agreement offered as an exhibit and the proceedings were by the Court read and considered.

It is thereupon, this 14th day of February, 1969, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED, that the said Ruth Ellen Shimp, the above named Plaintiff be, and she is hereby, DIVORCED A VINCULO MATRIMONII from the Defendant, Richard Dix Shimp.

It is further ORDERED and DECREED that the custody and guardianship of Tammy Lynn Shimp, minor child of the parties hereto, be and the same is hereby awarded unto Ruth Ellen Shimp, subject to the further order of this Court, with the right and privilege on the part of the Defendant to visit said child at reasonable times; and it is further ADJUDGED, ORDERED and DECREED that Defendant pay to the Plaintiff, accounting from the date hereof, the sum of Ten Dollars (\$10.00) per week toward the support and maintenance of said Tammy Lynn Shimp.

And it is further ORDERED that the said Richard Dix Shimp, Defendant, pay the costs of these proceedings.

E. O. Weant, Jr.
E. O. Weant, Jr., Judge

Filed-Feb. 14, 1969

ROGER P. BAILEY	§	NO. 11513 EQUITY
Plaintiff	§	IN THE
-v-	§	CIRCUIT COURT
MARGARET A. BAILEY	§	FOR
Defendant.	§	CARROLL COUNTY.

DECREE

It is this 17th day of February, 1969, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the Bill of Complaint for Divorce a Vinculo Matrimonii filed by the Plaintiff, Roger P. Bailey, be, and the same is hereby, denied.

It is ADJUDGED, ORDERED and DECREED that the Defendant, Margaret A. Bailey, shall have the care and custody of the infant children born to the marriage, namely, Susan Lee Bailey and Deborah Ann Bailey, with the right of reasonable visitation on the part of the Plaintiff, Roger P. Bailey, and that the said Roger P. Bailey pay to the said Margaret A. Bailey, through the Clerk of this Court, the sum of Twenty Dollars (\$20.00) per child per week until such time as each child reaches the age of twenty-one (21) years, becomes self-supporting or marries, whichever shall first occur; subject to the further order of this Court.

It is further ORDERED that the said Roger P. Bailey pay the costs of these proceedings, as taxed by the Clerk of this Court.

E. O. Weant, Jr.
Associate Judge.

Filed Feb 17, 1969

DIVORCE BOOK

Square Corners

DIVORCE BOOK

Square Corners

MARY GRACE HAINES ¶ NO. 11496 EQUITY
 ¶ IN THE
 ¶ CIRCUIT COURT
 ¶ FOR
 ¶ CARROLL COUNTY
 ¶ LEONARD HAINES

OPINION AND DECREE

This cause originated through the filing of a Bill of Complaint for Alimony and Support and Guardianship of Child by the Plaintiff, Mary Grace Haines, against the Defendant, Leonard Haines. Subsequent thereto a Cross-Bill of Complaint for Divorce a Mensa Et Thoro and Custody of Child was filed on behalf of Leonard Haines against the said Mary Grace Haines.

It appears that both parties are accusing the other of cruelty, alleging that this abuse has made it impossible for each to live with the other.

There is evidence that Leonard Haines has struck his wife on occasion and that she in turn has gotten in her licks from time to time. It is our opinion that the evidence shows misconduct on the part of both parties and we cannot say that one is more at fault than the other to the extent that his or her conduct would render the marital relationship impossible while preserving his or her health, safety or self-respect.

We must, therefore, hold that we do not find that the allegation set forth as grounds for the divorce prayed has been sustained. Further we feel that the wife is entitled to support in light of her offers of reconciliation and the husband's refusal to accept them.

Filed - Feb 21, 1969

The final question to be resolved herein is the custody of the one child born to the parties, namely, Michael Alan Haines. The Court of Appeals has often stated that the welfare of a minor child is ordinarily best served in the custody of the mother unless she is shown to be unfit. In light of the past history of the mother, the Court felt it advisable to ask for a doctor's report relative to the competency of Mrs. Haines to care for the child in question. This report was received by the Court on or about January 30, 1969. The report of Doctor Sherrill C. Cheeks indicates that the mother is not psychiatric and that she is capable of caring for the boy. In light of this report and in light of the lack of any convincing proof that the mother is unfit to take care of the child we must award the custody to Mary Grace Haines.

It is thereupon, this 21st day of February, 1969, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the Cross-Bill of Complaint filed herein for divorce a mensa et thoro be, and the same is hereby, dismissed. It is further ORDERED that the custody of Michael Alan Haines be, and the same is hereby, awarded to Mary Grace Haines and that the said Leonard Haines pay unto the said Mary Grace Haines the sum of Fifty Dollars (\$50.00) per week by way of support for herself and the said infant child.

It is further ORDERED that Leonard Haines pay the costs of these proceedings, as taxed by the Clerk of this Court, as well as the bill of Doctor Sherrill C. Cheeks in the amount of Thirty-five Dollars (\$35.00).


 Associate Judge.

NELLIE CAROLINE WARD	Ø	NO. 11474 EQUITY
Plaintiff	Ø	IN THE
-v-	Ø	CIRCUIT COURT
CARL W. WARD	Ø	FOR
Defendant.	Ø	CARROLL COUNTY.

OPINION AND DECREE

This suit was instituted by Nellie Caroline Ward, Complainant, for the purpose of obtaining a divorce a vinculo matrimonii from Carl W. Ward, Respondent, on the ground of adultery. The Complainant also seeks alimony, maintenance and support for herself and her two infant children, although the Bill does not seek the custody of said children.

A hearing was had on November 15, 1968, and continued until November 22nd, 1968, at which time it was concluded and the attorneys were given, at their request, until February 1st, 1969, to file notes.

We think that the proof is sufficient to sustain the allegation of adultery in that the disposition on the part of the Defendant and the paramour to commit the act and an opportunity to do so have been clearly established. Although the Bill of Complaint alleges that "since learning of this adulterous act your Complainant Nellie Caroline Ward has not lived or cohabited with the Respondent Carl W. Ward", we find that the Complainant learned of the adultery of the Respondent on August 18, 1968, but that she lived with him until August 25, 1968, during which time she had marital relations with him.

We are, therefore, faced with the question of condonation. At one point the Complainant alleges that she consented to having intercourse with her husband after August 18

Filed Feb 25, 1969

because of the fact that she was afraid of him in light of previous experience. At another time she intimated that she could forgive his adulterous act but could not forgive the broken wrist which she received on August 25th as a result of abuse by her husband. At that time she left him. Even if we assume, without deciding, that the Complainant condoned the acts of her husband, we do not find that she was treated with the conjugal kindness which is expected after such condonation. The uncontradicted proof shows that the Respondent treated her with sufficient cruelty subsequent to her discovery of his adultery to break a bone and that the Complainant's physician advised her to leave her husband. It is our understanding of the law that cruelty by husband to his wife revives the condoned offense alleged herein. 8 M.L.E. Divorce, Section 44. Smith v. Smith, 225 Md. 282; Hilbert v. Hilbert, 168 Md. 364; Fisher v. Fisher, 93 Md. 298. We must, therefore, conclude that the effect of the cruelty of the husband revived the offense assumed to be condoned. We, therefore, do not find it necessary to consider whether there was actual condonation.

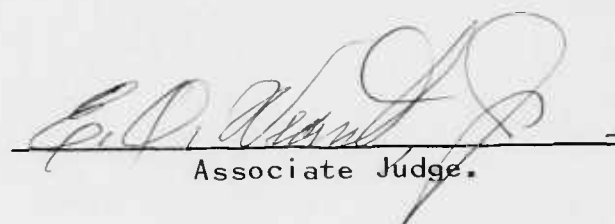
While we have no prayer for the custody of the children born to the parties, namely, Teresa J. Ward and Martin E. Ward, we shall award their custody to the mother, there being no testimony to the effect that she is unfit. While we are advised that the Complainant earns Forty Dollars (\$40.00) a week, we do not have any information concerning the income of the Respondent other than that he is employed by the Baltimore Sunpapers. We will, however, make an award of alimony and support for the Complainant and the children.

It is thereupon, this 25th day of February, 1969, by

the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that Nellie Caroline Ward be, and she is hereby, divorced a vinculo matrimonii from the Respondent, Carl W. Ward.

It is further ORDERED that the said Nellie Caroline Ward shall have the care and custody of the two minor children, namely, Teresa J. Ward and Martin E. Ward, with reasonable rights of visitation on the part of the said Carl W. Ward, and that the said Carl W. Ward shall pay to the said Nellie Caroline Ward the sum of Twenty-five Dollars (\$25.00) per week per child until such time as each child reaches the age of twenty-one years, becomes self-supporting, enters the military service or marries, whichever shall first occur, and the said Carl W. Ward shall pay Twenty Dollars (\$20.00) per week as alimony; all subject to the further order of this Court.

It is further ORDERED that the said Carl W. Ward shall pay the costs of these proceedings, as taxed by the Clerk of this Court.


Associate Judge.

HILDA WILSON	Ø	NO. 11508 EQUITY
Complainant	Ø	IN THE
-v-	Ø	CIRCUIT COURT
RONALD D. WILSON	Ø	FOR
Respondent	Ø	CARROLL COUNTY.

ORDER

This cause having been heard upon the Bill of Complaint heretofore filed in this matter, it is this 25th day of February, 1969:

ORDERED:

That the above named Complainant, Hilda Wilson, be, and she is hereby, divorced "A MENSA ET THORO" from the Respondent, Roland D. Wilson;

That the guardianship and custody of the minor children of the parties hereto, be, and it is hereby, awarded unto the Complainant, Hilda Wilson, with the right unto the Respondent, Roland D. Wilson, to visit said children at reasonable times and under proper circumstances; subject to the continuing jurisdiction of this Court;

That the Respondent, Roland D. Wilson, pay unto the Complainant, Hilda Wilson, the sum of Twenty-five Dollars (\$25.00) per week, as alimony; that the said Respondent, Roland D. Wilson, pay unto the Complainant, Hilda Wilson, the sum of Ten Dollars (\$10.00) per child per week, toward the support of three of the said infant children of the parties, namely, Harold Eugene Wilson, Diana Lee Wilson and David Allen Wilson, until such time as each child reaches the age of twenty-one (21) years, becomes self-supporting, enters the military service or marries, whichever shall first occur; subject to the further order of this Court; and

Filed Feb. 26, 1969

That the Respondent, Roland D. Wilson, pay unto the Complainant, Hilda Wilson, the sum of One Hundred, Fifty Dollars (\$150.00) as a fee for her Solicitor in this cause; and

That the Respondent, Roland D. Wilson, pay the costs of these proceedings, as taxed by the Clerk of this Court.

E. D. Weant, Jr.
Associate Judge.

LARRY JOSEPH GREGERSEN	*	IN THE
Plaintiff	*	CIRCUIT COURT
vs.	*	FOR
BARBARA A. GREGERSEN	*	CARROLL COUNTY
(a minor)	*	WESTMINSTER, MARYLAND
Defendant	*	Equity No. 11571
	*	

* * * * *

DECREE OF DIVORCE

The Bill of Complaint filed in the above proceedings having come on for hearing, Plaintiff having appeared together with corroborating witnesses offering testimony before this Court, and upon consideration of the testimony and evidence before this Court, it is this 28th day of February, 1969, by the Circuit Court for Carroll County, sitting as a Court in Equity, ORDERED, ADJUDGED AND DECREED that the said LARRY JOSEPH GREGERSEN, Plaintiff, be, and he is hereby divorced a vinculo matrimonii from BARBARA A. GREGERSEN, Defendant.

AND it is further ORDERED, ADJUDGED AND DECREED that the Plaintiff pay the costs of these proceedings as taxed by the Clerk of this Court.

E. D. Weant, Jr.
E. D. Weant, Jr. Associate Judge

Filed - Feb 28, 1969

HAROLD B. HOKE	*	IN THE
Tannery Road	*	CIRCUIT COURT
Westminster, Maryland 21157	*	FOR
Petitioner	*	CARROLL COUNTY
VS.	*	IN EQUITY
MILDRED C. HOKE	*	Docket 21
99 Ralph Street	*	Folio 130
Westminster, Maryland 21157	*	File 11537
Respondent	*	
* * * * *		

DECREE OF DIVORCE

The Bill of Complaint filed in the above proceedings having come on for hearing, Plaintiff having appeared together with corroborating witness offering testimony before this Court, and upon consideration of testimony and evidence before this Court is it this day 29th day of February, 1969, by the Circuit Court for Carroll County sitting as a Court of Equity, ADJUDGED, ORDERED and DECREED that the said Harold B. Hoke, Petitioner be and he is hereby divorced a vinculo matrimonii from Mildred C. Hoke, Respondent.

AND it is further ADJUDGED, ORDERED, AND DECREED that the Separation Agreement between the parties, dated November 21, 1966, a copy executed under oath having been filed in these proceedings be and it is hereby incorporated into and made a part of this Decree.

AND it is further ADJUDGED, ORDERED, and DECREED that the Petitioner pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant, Jr.
Judge Edward O. Weant, Jr.

Filed Feb 28, 1969

RALPH ELMER MALONE	:	NO. 11478 EQUITY
Complainant	:	IN THE
VS.	:	CIRCUIT COURT
DOROTHY LOUISE MALONE, Infant	:	FOR
Respondent	:	CARROLL COUNTY

AMENDED OPINION AND DECREE

It is this 4th day of March, 1969, by the Circuit Court for Carroll County, sitting as a Court of Equity,

ADJUDGED, ORDERED AND DECREED, that the Opinion and Decree of this Court dated November 19, 1968, divorcing the Complainant from the Respondent A VINCULO MATRIMONII, be and is hereby modified in that the custody of Ralph Elmer Malone, the minor child of Ralph Elmer Malone and Dorothy Louise Malone, be and the same is hereby awarded to Harold Emerson Artz and Emma T. Artz, his wife, subject to the reasonable visitation with said child by his natural mother Dorothy Louise Malone, and she shall have the right to have the said child with her at any reasonable time for the purpose of said visitation.

It is further ADJUDGED, ORDERED and DECREED that all of the other terms of the Opinion and Decree of November 19, 1968, shall remain in full force and effect, all subject for the Order of the Court.

E. O. Weant, Jr.
E. O. WEANT, JR., JUDGE

Filed - Mar 5, 1969

PEGGY J. TOMLIN	Ø	NO. 11225 EQUITY
Plaintiff,	Ø	IN THE
-v-	Ø	CIRCUIT COURT
MURRAY P. TOMLIN	Ø	FOR
Defendant.	Ø	CARROLL COUNTY.

A hearing having been had in the above entitled case, it is this 14th day of November, 1967, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the Plaintiff, Peggy J. Tomlin, be, and she is hereby, divorced a mensa et thoro from the Defendant, Murray P. Tomlin.

It is further ADJUDGED, ORDERED and DECREED that the said Plaintiff, Peggy J. Tomlin, shall have the care and custody of the infant children, namely: Peggy Lynn Tomlin, Nancy Lee Tomlin, Murray Reed Tomlin, Cathy Ann Tomlin, Brian Keith Tomlin and Laura Sue Tomlin, with the right and privilege on the part of Murray P. Tomlin to visit said children at reasonable times and places; and that the Defendant, Murray P. Tomlin, pay to the Plaintiff, Peggy J. Tomlin, the sum of (\$30.00) Thirty Dollars per child bi-weekly, for the support of said infant children until each child reaches the age of 21 years, becomes self-supporting or marries, whichever occurs first; and it is further ORDERED that the Defendant, Murray P. Tomlin, pay the Plaintiff, Peggy J. Tomlin, the sum of Fifty Dollars (\$50.00) bi-weekly as alimony. All of which is subject to the further order of this Court.

It is further ORDERED that the Defendant, Murray P. Tomlin, pay the costs of these proceedings, as taxed by the Clerk of this Court.

E. D. Meak
Associate Judge

Order not filed when received from Court due to fact that costs were not paid.
Filed - Mar 7, 1969

DIVORCE BOOK

Square Corners

DIVORCE BOOK

Square Corners

PEGGY J. TOMLIN	Ø	NO. 11225 EQUITY
Plaintiff,	Ø	IN THE
-v-	Ø	CIRCUIT COURT
MURRAY P. TOMLIN	Ø	FOR
Defendant.	Ø	CARROLL COUNTY.

A hearing having been had in the above entitled case, it is this 17th day of November, 1967, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the Plaintiff, Peggy J. Tomlin, be, and she is hereby, divorced a mensa et thoro from the Defendant, Murray P. Tomlin.

It is further ADJUDGED, ORDERED and DECREED that the said Plaintiff, Peggy J. Tomlin, shall have the care and custody of the infant children, namely: Peggy Lynn Tomlin, Nancy Lee Tomlin, Murray Reed Tomlin, Cathy Ann Tomlin, Brian Keith Tomlin and Laure Sue Tomlin, with the right and privilege on the part of Murray P. Tomlin to visit said children at reasonable times and places; and that the Defendant, Murray P. Tomlin, pay to the Plaintiff, Peggy J. Tomlin, the sum of (\$30.00) Thirty Dollars per child bi-weekly, for the support of said infant children until each child reaches the age of 21 years, becomes self-supporting or marries, whichever occurs first; and it is further ORDERED that the Defendant, Murray P. Tomlin, pay the Plaintiff, Peggy J. Tomlin, the sum of Fifty Dollars (\$50.00) bi-weekly as alimony. All of which is subject to the further order of this Court.

It is further ORDERED that the Defendant, Murray P. Tomlin, pay the costs of these proceedings, as taxed by the Clerk of this Court.

Order not filed when received from Court due to fact that costs were not paid.

Filed - Mar 7, 1969

E. O. [Signature]
Associate Judge.

SHARON B. SHEPHERD	Ø	NO. 11522 EQUITY
Route 1, Ebbvale Road,	Ø	IN THE
Manchester, Maryland	Ø	CIRCUIT COURT
Complainant,	Ø	FOR
-v-	Ø	CARROLL COUNTY,
BARRIE W. SHEPHERD	Ø	MARYLAND
96 East Main Street	Ø	
Westminster, Maryland,	Ø	
Respondent.	Ø	

MEMORANDUM AND DECREE

In this matter Sharon B. Shepherd, Complainant, filed suit against Barrie W. Shepherd, Respondent, seeking a divorce on the ground of adultery. She also seeks alimony, maintenance and support for herself and her infant child, and reasonable solicitor's fee. We note that she does not include a prayer for custody of the said child but we assume that that is her desire since she had the child living with her at the time of the trial.

The Complainant produced a Miss Gill who was able to testify to circumstances which might lead the Court to believe that the Respondent had committed adultery. However, the only corroborating witness was the Complainant herself whose testimony was based on what she had been told by Miss Gill. We do not find that this is such corroboration as is required by the Court of Appeals in these cases and hence cannot grant the divorce.

Since the child of the parties has been in the custody of the mother and since she has not been shown to be unfit, we will grant the custody of the child to the Complainant along with reasonable support. This the Complainant feels should be Twenty Dollars (\$20.00) a week and we agree. Although the

Filed - Mar 19, 1969

Respondent claimed to be making only mediocre amounts of money at the time of the trial, we feel that he is fully able to earn a sum of money sufficient to care for himself and pay Twenty Dollars (\$20.00) per week for the child. Since the Complainant has not proven her case, she is not entitled to support. However, we feel that the Respondent should pay One Hundred, Fifty Dollars (\$150.00) towards the Complainant's counsel.

It is thereupon, this 19th day of March, 1969, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the Bill of Complaint for Divorce a vinculo matrimonii filed herein on behalf of Sharon B. Shepherd be, and the same is hereby, Denied. It is further ORDERED that the care and custody of the infant child of the parties, namely, Dorian R. Shepherd, be awarded to Sharon B. Shepherd and that the said Barrie W. Shepherd pay unto the said Sharon B. Shepherd the sum of Twenty Dollars (\$20.00) per week toward the support of said child until such time as said child reaches the age of twenty-one (21) years, becomes self-supporting or marries, whichever shall first occur. It is further ORDERED that the said Barrie W. Shepherd pay unto the said Sharon B. Shepherd the sum of One Hundred, Fifty Dollars (\$150.00) toward the payment of her counsel for services rendered herein.

It is further ORDERED that the Respondent, Barrie W. Shepherd, pay the costs of these proceedings, as taxed by the Clerk of this Court.

E. C. Ward
Associate Judge.

ROSE M. HARRINGTON	Ø	NO. 11495 EQUITY
Complainant,	Ø	IN THE
-v-	Ø	CIRCUIT COURT
FOUNTAIN G. HARRINGTON	Ø	FOR
Respondent.	Ø	CARROLL COUNTY.

MEMORANDUM AND DECREE

A Bill of Complaint was filed in these proceedings by Rose M. Harrington, Complainant, seeking a divorce against Fountain G. Harrington, Respondent, on the ground of voluntary separation. She seeks the custody of the minor children born to the parties, Donna Lynn Harrington and Duane Eddie Harrington, as well as support for said children.

A hearing was had on January 10, 1969, at which time both parties appeared and testimony was taken on behalf of the Complainant which testimony has convinced the Court that the separation was voluntary and that it is beyond any hope or expectation of reconciliation. Although, as mentioned above, Fountain G. Harrington was in Court he did not testify nor seek to offer any testimony. At the end of the hearing counsel stipulated that they would arrive at an agreement which would be filed for incorporation in the Decree. This agreement, we understood, would provide for support of the children and visitation rights. Since that time, we have been advised by counsel that the parties cannot come to an agreement on these matters.

We are further advised at a meeting in chambers with both parties and their attorneys on March 20, 1969, that Fountain G. Harrington was unhappy with the proceedings. However, we were unable to ascertain the exact nature of his dissatisfaction excepting that he felt that he was not getting the proper visitation rights in the agreement which had tentatively been arrived at.

Filed - Mar 21, 1969

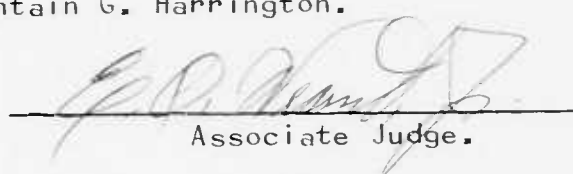
He also displayed some dissatisfaction with the services of his attorney but was vague in his reasons. He stated at one time that the separation was not voluntary and at another time the grounds should have been on a voluntary agreement.

We feel that both parties have been given ample opportunity to have their day in court and that the testimony is sufficient to grant the divorce. We were advised at the aforementioned meeting in chambers that both parties agreed to support payments of Twelve Dollars and Fifty Cents (\$12.50) per week per child and we will incorporate this in our decree. Since the mother was not shown to be unfit and since she apparently takes good care of the children, the care and custody of the infants will be awarded to her.

It is thereupon, this 21st day of March, 1969, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the Complainant, Rose M. Harrington, be, and she is hereby, divorced a vinculo matrimonii from the Respondent, Fountain G. Harrington. It is further ORDERED that the care and custody of the children of the parties, Donna Lynn Harrington and Duane Eddie Harrington, be awarded to Rose M. Harrington and that Fountain G. Harrington pay to the said Rose M. Harrington the sum of Twelve Dollars and Fifty Cents (\$12.50) per week per child until such time as each child reaches the age of twenty-one (21) years, becomes self-supporting, enters the military service or marries, whichever shall first occur. The Respondent shall have the right of visitation with the said children of the parties away from the home of the Complainant on the first weekend of each month from 6:00 P.M. Friday until 6:00 P.M. Sunday, on the third Saturday of each month from 9:00 A.M. until 7:00 P.M. and on alternate Easter and Christmas holidays from 6:00 P.M. on

Easter and Christmas Eve until 6:00 P.M. on Easter or Christmas, as the case may be, commencing with Easter of 1969.

It is further ORDERED that the costs of these proceedings, as taxed by the Clerk of this Court, be paid equally by Rose M. Harrington and Fountain G. Harrington.


Associate Judge.

CHARLES CURTIS BLACKISTON, JR.	NO. 11166 EQUITY
Plaintiff,	IN THE
-v-	CIRCUIT COURT
MARIE ELAINE BLACKISTON	FOR
Defendant.	CARROLL COUNTY.

MEMORANDUM AND DECREE

A Bill of Complaint was filed herein on behalf of Charles Curtis Blackiston, Jr., Plaintiff, seeking a divorce from Marie Elaine Blackiston, Defendant, on grounds of desertion. He also seeks the care and custody of Charles Curtis Blackiston, III and Carla Lee Allen, the former a child born to the parties and the latter a child born of a previous marriage to the Defendant. An Answer was filed by the Defendant to said Bill and a Cross-Bill of Complaint for divorce was filed by Marie Elaine Blackiston alleging adultery on the part of Charles Curtis Blackiston, Jr.

At the conclusion of the Plaintiff's case the Defendant moved for a dismissal of the Plaintiff's bill. The Court, being of the opinion that the Plaintiff has not established desertion on the part of the Defendant, Marie Elaine Blackiston, granted the Motion. The matter then proceeded on the Cross-Bill of Complaint filed on behalf of Marie Elaine Blackiston. It is the opinion of the Court that there was no case of adultery made out against Charles Curtis Blackiston, Jr. in that there was a failure to prove the opportunity and disposition on the part of Charles Curtis Blackiston, Jr. and a paramour to commit adultery. We feel that there was certain proof of rather suspicious circumstances but not sufficient evidence to sustain a divorce on the ground of adultery. This whole matter seems to be one of voluntary separation.

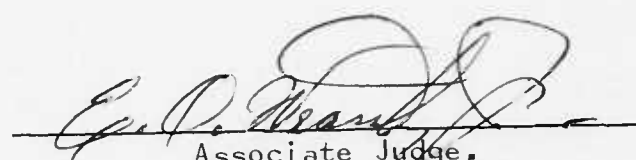
Filed - March 26, 1969

We now consider the matter of the custody of the children which is sought by both parties. We had some concern over the physical ability of Marie Elaine Blackiston to take care of the infants in question and requested a medical report on this subject. The report was filed this day by the attorney for Marie Elaine Blackiston from the Cardiac Clinic of the Johns Hopkins Hospital. This report indicates that Mrs. Blackiston is physically able to resume the care of "her child". We assume that this would include her ability to take care of both children in question. Since the mother has not been shown to be unfit to take care of the children in question, we will award them to her with the right of reasonable visitation on the part of Charles Curtis Blackiston, Jr. with Charles Curtis Blackiston, III. In the event the parties cannot arrive at an amicable schedule for these visitations the Court will, upon request of the attorneys, attempt to set down specific guide lines for this purpose. We will also allow reasonable support for the said child.

It is this 24th day of March, 1969, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the Bill of Complaint and Cross-Bill of Complaint filed herein for divorce a vinculo matrimonii be, and the same are hereby, Dismissed. It is further ORDERED that the care and custody of Carla Lee Allen and Charles Curtis Blackiston, III be, and the same is hereby, awarded to Marie Elaine Blackiston, with the right of reasonable visitation on the part of Charles Curtis Blackiston, Jr. with Charles Curtis Blackiston, III away from the residence of Marie Elaine Blackiston. It is further ORDERED that the said Charles Curtis Blackiston, Jr. pay unto Marie Elaine Blackiston the sum of Fifteen Dollars (\$15.00) per

week for the support and maintenance of Charles Curtis Blackiston, III until he reaches the age of twenty-one (21) years, becomes self-support, enters the military service or marries, whichever shall first occur; subject to the further order of this Court.

It is further ORDERED that Charles Curtis Blackiston, Jr. pay the costs of these proceedings, as taxed by the Clerk of this Court.


Associate Judge.

EDGAR R. STRAWSBURG	*	IN THE CIRCUIT COURT
vs.	*	FOR CARROLL COUNTY
BARBARA E. STRAWSBURG	*	WESTMINSTER, MARYLAND
	*	Equity No. 11113

* * *

AMENDED DECREE

This case coming on for hearing on the 31st day of January, 1969, the Respondent, Barbara E. Strawsburg, having been served by Order of Publication, failed to appear, the Complainant and his witness having been heard, the proceedings were read and considered by this Court.

It was brought to the attention of this Court, at the time of the hearing of this Cause, and as setforth in the fifth paragraph of the Bill of Complaint filed therein, that there were two children born as a result of this marriage, namely, Thomas Wayne Strawsburg, born on December 9, 1959, and Gordon Leroy Strawsburg, born on January 11, 1962, all of whom are in the care and custody of the Complainant.

That at the time of the preparation of the original Decree signed by this Court on February 7, 1969, inadvertently the custody of the said children was not determined by this Court.

This Court having considered the best interest and welfare of the care and custody of the children of the said parties; it is this 27th day of March, 1969, Ordered, by the Circuit Court of Carroll County, Westminster, Maryland, that the Complainant Edgar R. Strawsburg, be and is hereby awarded the custody of the parties two children, namely Thomas Wayne Strawsburg and Gordon Leroy Strawsburg, all subject to the further order of this Court.


Judge

Filed - March 27, 1969

BETTY L. LONG : NO. 11543 21/133 IN EQUITY
 Route # 1 :
 Westminster, Maryland 21157 :
 Complainant : IN THE
 VS. : CIRCUIT COURT
 : FOR
 CHARLES D. LONG, SR. :
 Route # 5, Exeter Road : CARROLL COUNTY
 Westminster, Maryland 21157 :
 Respondent :

DECREE

The above cause standing ready for hearing, and having been heard and considered by the Court;

It is thereupon, this 28th day of March, 1969, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED and DECREED that the above named Complainant, Betty L. Long, be and she is hereby divorced A VINCULO MATRIMONII from the Respondent, Charles D. Long, Sr.

And it is further ADJUDGED, ORDERED, and DECREED that the care custody of the three minor children, namely, Charles D. Long, Jr., Dianna Lynn Long, and Eurith Yvonne Long, is hereby awarded to the Complainant, Betty L. Long, subject to reasonable visitation rights by the Respondent.

And it is further ADJUDGED, ORDERED and DECREED that the Respondent, Charles D. Long, Sr. pay the sum of Fifteen Dollars (\$15.00) per week per child in accordance with the Separation Agreement of the parties hereto dated May 19, 1967.

And it is further ORDERED and DECREED that the Complainant, Betty L. Long, pay the costs of these proceedings.

E. D. Ward Jr.
 JUDGE

Filed Mar 28, 1969

EVELYN A. EBAUGH * IN THE CIRCUIT COURT
 vs. * FOR CARROLL COUNTY
 BENTON L. EBAUGH * IN EQUITY
 * * * * *
 * * * * *
 * * * * *
 * * * * *

ORDER OF COURT

This cause having come on for hearing upon Bill of Complaint and Decree Pro Confesso thereto, evidence having been taken thereon in open Court, counsel for Plaintiff having been heard, it is this 31st day of March, 1969 by the undersigned, one of the judges of the Circuit Court for Carroll County, sitting in equity, and by authority of this Court, ADJUDGED, ORDERED and DECREED that the above Plaintiff, Evelyn A. Ebaugh, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, the said Benton L. Ebaugh; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Evelyn A. Ebaugh, pay the cost of these proceedings.

E. D. Ward Jr.
 Judge

Filed - Mar 31, 1969

HANNAH JUNE MULLER * IN THE CIRCUIT COURT
 Complainant * FOR CARROLL COUNTY
 vs. * WESTMINSTER, MARYLAND
 CHARLES MULLER, JR. * Equity No. 11523
 Respondent *

* * *

DECREE

This Cause coming on for hearing on the 28th day of March, 1969, the Complainant Hannah June Muller, testified together with her witness. The Respondent, Charles Muller Jr. failed to appear in person or by his solicitor, the proceedings were read and considered together with the testimony of the Complainant and her witness.

It is this 31st day of March, 1969, by the Circuit Court for Carroll County, at Westminster, Maryland, sitting in Equity, ORDERED, that the Complainant, Hannah June Muller, be and she is hereby DIVORCED A VINCULO MATRIMONII, from the Respondent Charles Muller, Jr.

It is further ORDERED, that the Respondent Charles Muller, Jr., shall have the care and custody of three children born as the result of the said marriage, namely Carroll Charles Muller, born August 26, 1952; John Raymond Muller, born June 2, 1955; and Ralph Eugene Muller, born October 20, 1958, who are now in the custody of the Respondent. That Ellena Virginia Muller, born April 11, 1954; Joyce Juanita Muller, born September 5, 1959; Bronchial June Susan Jane Muller, born May 30, 1961; Lisa Ann Muller, born November 26, 1962, are to remain in the care and custody of the Complainant Hannah June Muller, and the Respondent is to pay to the Complainant the sum of Five Dollars

Filed - Mar 31, 1969

(\$5.00) per week for the support of each of the aforesaid four infant children, until each child becomes twenty-one years of age, self supporting, married, or die whichever first shall occur, all subject to the further Order of this Court.

It is further, ORDERED, that the terms of the Agreement dated October 22nd, 1965, and entered into by the parties and introduced in these proceedings shall be incorporated in and become a part of this Decree.

And it is further ORDERED, that the Respondent Charles Muller, Jr., pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Hand Jr.
 Judge

DIVORCE Book

Square Corners

DIVORCE Book

Square Corners

EMMA E. MAHONEY
Mt. Wilson
Maryland

Plaintiff

vs

GEORGE V. MAHONEY
Route 1 P.O. Box 372
Biglerville, Pennsylvania
17309
Defendant

NO. 11445 EQUITY

IN THE

CIRCUIT COURT

FOR

CARROLL COUNTY

DECREE

This matter came on for hearing in open Court on October 11, 1968, both parties to this proceeding being present in Court with their respective counsel. Upon agreement between counsel, the original Bill of Complaint was dismissed and the case was heard on the Amended Bill of Complaint filed by the Plaintiff. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this 11th day of April, 1969, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Emma E. Mahoney, be, and she is hereby, divorced a vinculo matrimonii from her husband, the Defendant, George V. Mahoney. And it is further ORDERED that the Defendant pay unto the attorney for the Plaintiff the sum of \$150.00 as a counsel fee for his services rendered to the Plaintiff in this cause. And it is further ORDERED that the Defendant pay the costs of this proceeding as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

Filed - April 11, 1969

ROBERT W. KOONS, Infant, by
IDA MAE KOONS, his mother and
next friend
Route 2, Baptist Road
Taneytown, Maryland

Plaintiff

NO. 11547 EQUITY

IN THE

CIRCUIT COURT

FOR

CARROLL COUNTY

SANDRA ARLENE KOONS, Infant, by
GEORGE SELBY, her father, and
HELEN SELBY, her mother, as next
friend
Route 1, Harney
Taneytown, Maryland

Defendant

DECREE

This matter came on for hearing on January 24, 1969. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this 11th day of April, 1969, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Robert W. Koons, be, and he is hereby, divorced a vinculo matrimonii from his wife, the Defendant, Sandra Arlene Koons.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

TRUE COPY TEST
Charles C. Conway CLERK

Filed - April 11, 1969

NELLIE M. DAVIS : IN THE
 39 East Main Street : CIRCUIT COURT
 Westminster, Maryland :
 Plaintiff : FOR
 vs. : CARROLL COUNTY
 HAROLD I. DAVIS : IN EQUITY
 Cooksville, Maryland :
 Defendant : No. 11519

DECREE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

This cause was heard in Open Court. The Attorneys for the Plaintiff and the Defendant were present. The proceedings and testimony were considered by the Court.

WHEREUPON IT IS ORDERED and decreed this 19th day of April, 1969, by the Circuit Court for Carroll County, sitting in Equity, that the above named Plaintiff, Nellie M. Davis, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, the said Harold I. Davis; and

It is further adjudged, ordered and decreed that the Plaintiff, Nellie M. Davis, be and she is hereby awarded the guardianship and custody of Randall Allen Davis, infant child of the parties, with the right and privilege on the part of the Defendant to visit the child at reasonable times and hours, subject to the further order of this Honorable Court.

It is further adjudged, ordered and decreed that the Defendant, Harold I. Davis, pay unto the Plaintiff, the sum of Five Dollars (\$5.00) per week toward the support, maintenance and other requirements of said infant child until he reaches the age of 21 years; subject to the further order of this Court.

And it is Further Adjudged, Ordered and Decreed, that the Defendant, Harold I. Davis, pay the cost of these proceedings.

C. P. Ward
 Associate Judge

Filed April 21, 1969

GARY L. NEUERBURG : IN THE
 P. O. Box 114 :
 Sykesville, Maryland :
 Complainant : CIRCUIT COURT
 vs. : FOR
 HOPE D. NEUERBURG :
 2408 E. Baltimore Street : CARROLL COUNTY
 Third Floor :
 Baltimore, Maryland : Equity No. 11536
 Respondent :
 : : : : : : : :

DECREE FOR DIVORCE A VINCULO MATRIMONII

This cause came on to be heard and upon consideration of the pleadings filed herein, along with testimony taken in open Court, it is by the Circuit Court for Carroll County, Maryland, in Equity, this 25th day of April, 1969,

ADJUDGED, ORDERED and DECREED that the Complainant, Gary L. Neuerburg, be and he is hereby divorced a vinculo matrimonii from the Respondent, Hope D. Neuerburg, and it is further

ORDERED that the Complainant pay the costs of these proceedings.

JUDIE

Filed - Apr 25, 1969

SANDRA ELAINE EDWARDS * IN THE
 Plaintiff * CIRCUIT COURT
 * FOR
 vs. * CARROLL COUNTY
 DALE EUGENE EDWARDS * IN EQUITY
 Defendant * Case No. 11589

* * * * *

ORDER

The above captioned proceedings having been heard in open Court, it is this 28th day of April, 1969

ORDERED by the Circuit Court in Carroll County in Equity that the Plaintiff, SANDRA ELAINE EDWARDS, be divorced a vinculo matrimonii from the Defendant, DALE EUGENE EDWARDS; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Sandra Elaine Edwards, be awarded permanent guardianship and custody of the minor child of the parties, namely NIKKI LEE EDWARDS; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Dale Eugene Edwards, shall pay to the Plaintiff for the support of the minor child of the parties the sum of Twenty Dollars (\$20.00) per week until certain debts and obligations stated in the Separation Agreement executed between the parties dated December 6, 1968 have been paid, or until October 31, 1969, whichever date is earlier, and thereafter the Defendant shall pay to the Plaintiff for the support of said child the sum Thirty Dollars (\$30.00) per week; all subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the parties to this cause of action be and they are hereby ordered to hereafter perform and carry out all of the covenants and conditions set forth in their agreement dated December 6, 1968, and

DOWNES & SEILAND
 ATTORNEYS AT LAW
 202 W. PENNSYLVANIA AVE.
 BALTIMORE, MD. 21204
 AREA CODE 301
 825-2907

Filed April 28, 1969

filed with the testimony in this cause of action, the pertinent terms of which are hereby approved and incorporated in this Decree by reference thereto as if fully set forth therein;

And it is further ADJUDGED, ORDERED and DECREED, that the Defendant, DALE EUGENE EDWARDS, pay the cost of these proceedings.

E. O. [Signature]
 Judge

DOWNES & SEILAND
 ATTORNEYS AT LAW
 202 W. PENNSYLVANIA AVE.
 BALTIMORE, MD. 21204
 AREA CODE 301
 825-2907

HARRY C WADDELL * IN THE CIRCUIT COURT
 vs. * FOR CARROLL COUNTY
 MYRTLE F. WADDELL * WESTMINSTER, MARYLAND
 * EQUITY NO. 11371
 * * *

DECREE

This case coming on for hearing on April 25th, 1969, following a Decree Pro Confesso, the Complainant and his witness having been heard, the proceedings were read and considered by this Court.

It is this 29th day of April, 1969, by the Circuit Court for Carroll County, Westminster, Maryland, sitting in Equity, ORDERED, that the Complainant, Harry C. Waddell, be and he is hereby divorced A VINCULO MATRIMONII from the Respondent Myrtle F. Waddell.

It is further ORDERED, that the Complainant Harry C. Waddell, shall have the care and custody of three (3) of the children of the said parties, born as the result of this marriage, namely, Rebecca Lavinia Waddell, born September 27, 1959; Robin Yvonne Waddell, born August 7, 1961 and Harry Clements Waddell Jr., born October 12, 1965, and the other two children born as the result of this marriage, namely Dorothy Renie Waddell, born May 29, 1963 and Dana Marie Waddell, born August 5, 1964, are to remain in the care and custody of the Respondent. The Complainant is hereby to be charged generally with the support of the children. All subject to the further order of this Court.

And it is further ORDERED, that the Complainant, Harry C. Waddell, pay the costs of these proceedings as taxed by the Clerk of this Court.

[Signature]
 Judge.

Filed - April 29, 1969

ELIZABETH LAURA WELLS * IN THE
 Plaintiff * CIRCUIT COURT FOR
 vs. * CARROLL COUNTY
 WILLIAM FRANCIS WELLS * In Equity
 Defendant * 21/146/11469
 * * *

DECREE OF DIVORCE

The Bill of Complaint herein having been filed on January 27, 1969, and the Defendant having been duly summoned and having filed his Answer to said Bill of Complaint, and the said Bill of Complaint having come on for hearing on April 25, 1969, the Plaintiff having appeared together with corroborating witness offering testimony before this Court, counsel for both Plaintiff and Defendant, having been heard, it is this 1st day of May, 1969, by the Circuit Court for Carroll County, in Equity, ORDERED, ADJUDGED and DECREED that the said Elizabeth Laura Wells, the above named Plaintiff, be and she is hereby divorced a vinculo matrimonii from the Defendant, William Francis Wells;

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the care, custody, guardianship and control of the infant child of the parties, namely Theresa Laura Wells, be and it is hereby awarded to the Plaintiff, Elizabeth Laura Wells;

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Defendant shall pay directly to the Plaintiff the sum of Twenty-Five Dollars (\$25.00) per week for the support and maintenance of the said Theresa Laura Wells, infant child of the parties;

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Defendant, William Francis Wells, shall be allowed rights of visitation with his said daughter, Theresa Laura Wells, at reasonable times and upon reasonable notice;

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Defendant shall pay the sum of Two Hundred and Fifty Dollars (\$250.00) as counsel fee to

Filed - May 1, 1969

the solicitor of record of the Plaintiff, Elizabeth Laura Wells, as provided for in an Agreement between the parties dated August 4, 1967, and filed in this proceeding as Plaintiff's Exhibit No. 1;

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Plaintiff, Elizabeth Laura Wells, be and she is hereby denied alimony by reason of her express waiver thereof;

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the pertinent parts of the aforesaid Agreement between the parties dated August 4, 1967, and filed herein as Plaintiff's Exhibit No. 1, to the extent that they are not hereinbefore set forth, are incorporated herein by reference in the same manner as if they were fully set forth herein;

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Defendant, William Francis Wells, shall pay the costs of these proceedings.


JUDGE

DONNA J. PHELPS	Ø	NO. 11606 EQUITY
Complainant and	Ø	IN THE
Cross-Defendant	Ø	CIRCUIT COURT
-v-	Ø	
BERNARD L. PHELPS	Ø	FOR
Respondent and	Ø	CARROLL COUNTY
Cross-Plaintiff	Ø	

MEMORANDUM AND DECREE

This matter originated with a Petition for Custody and Support filed by Donna J. Phelps, Complainant, in an effort to have the custody of Kimberly Lynn Phelps awarded to her and to have Bernard L. Phelps, Respondent, pay support and counsel fee. The Court, upon this Petition immediately awarded temporary custody to the mother, Donna J. Phelps, on the theory that the mother is usually entitled to custody of an infant child unless shown to be unfit. A Motion to Vacate this order was filed on behalf of Bernard L. Phelps. Thereafter, an Answer was filed to the original Petition and a Cross-Bill of Complaint for Divorce A Vinculo Matrimonii was filed on behalf of Bernard L. Phelps requesting the care, custody and guardianship of Kimberly Lynn Phelps as well as a divorce.

Because of the exigencies of the matter, a hearing was promptly had May 5th, 1969, on the merits of the entire case. Therefore, the Motion to Vacate Order is now moot.

The grounds relied upon by the Respondent and Cross-Plaintiff were that of adultery. He seeks custody of the infant child born to the parties on the ground that the mother is unfit.

As is invariably the case when adultery is to be proved, the parties must rely on circumstantial evidence. The elements thereof have been set forth by the Court of Appeals

Filed - May 7, 1969

many times and recently in the case of Matakieff v. Matakieff, 246 Md. 23, at 31, and Laccetti v. Laccetti, 245 Md. 97, at 102, as follows:

"To prove adultery, the circumstantial evidence must clearly establish (1) a disposition on the part of the defendant and the paramour to commit adultery, and (2) an opportunity to commit the offense. After considering these and all other facts and circumstances in the case, the court then determines whether the evidence would convince an unprejudiced and cautious person of the guilt of the defendant."

It would appear to this Court that the elements aforesaid have been proved. It is uncontradicted that Donna J. Phelps spent at least the greater part of one night in a trailer with one Wayne Brown. The only other person present was the infant daughter who was found asleep by the parties who broke up this tete-a-tete. At other times Brown and the Complainant and Cross-Defendant dated constantly. On various occasions they were alone in the home of Mrs. Phelps' parents. She had him visit her bedroom and at least once they laid on the couch with a blanket over them to watch tv. On another occasion she and Brown took a trip to Ocean City. This trip was allegedly made innocuous because of the fact that they took along Brown's nine year old daughter. We think that with this evidence the burden of proof has been amply satisfied by the Respondent and Cross-Plaintiff.

Bernard L. Phelps, the father, also seeks the care and custody of the infant child. He does so on the ground that he has proved his ability to properly care for the child and on the further premise that the mother is unfit to do so. The testimony indicates that the mother has had the child on some

on her trysts with her paramour. It was further shown that she is with the child on very few occasions. The proof indicates that the child is, at least at times, not properly fed when in the custody of the mother and that, in fact, she is more interested in getting the support money which would follow the child rather than the child herself. We further have the report of the Department of Parole and Probation which was requested by this Court. This further substantiates the impression that the Court got as to the character of the parties hereto from the testimony adduced at the trial. We are convinced that the mother is not a fit person to have the care and custody of the child and that the father has proved himself to be able to handle this responsibility. The welfare of the child will consequently best be served by awarding custody to Mr. Phelps.

It is thereupon, this 5th day of May, 1969, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that Bernard L. Phelps be, and he is hereby, divorced a vinculo matrimonii from Donna J. Phelps. It is further ORDERED that the care, custody and guardianship of Kimberly Lynn Phelps be, and the same is hereby, awarded to Bernard L. Phelps, with reasonable rights of visitation on the part of Donna J. Phelps.

It is further ORDERED that Donna J. Phelps pay the costs of these proceedings, as taxed by the Clerk of this Court.


Associate Judge.

JESSIE DORM COOK
32 Charles Street
Westminster, Maryland 21157

Plaintiff

Vs.

JAMES EDWARD COOK, SR.
c/o Mrs. Catherine Allen
77 Ralph Street
Westminster, Maryland 21157

Defendant

[illegible]

DECREE

The Bill of Complaint and Petition for Permanent Custody and Support of Infant Children having come on for hearing on May 9, 1969, Plaintiff having appeared, Defendant having appeared by counsel, and testimony having been taken and evidence having been received in open court, it is this 9th day of May, 1969, by the Circuit Court for Carroll County, in Equity, ORDERED, ADJUDGED AND DECREED, that the Divorce a vinculo matrimonii prayed for by JESSIE DORM COOK, Plaintiff, be, and the same is hereby granted.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the guardianship and custody of the parties infant children, namely, Jeffrey Allen Cook and James Edward Cook, Jr., be, and the same is hereby awarded to JESSIE DORM COOK.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that James Edward Cook, Sr., Defendant, pay to the Plaintiff, through the Clerk of this Court, the sum of Twenty-Five Dollars (\$25.00) per week for the care and support of said children at the rate of Twelve Dollars and Fifty Cents for each child until said child attains the age of twenty-one (21) years, enters the armed services, marries or becomes self-supporting, whichever shall first occur, subject to the further order of the Court; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff pay the costs of this proceeding.

E. O. WEANT, JR., Judge

Filed - May 9, 1969

DORIS LOUISE HERBERT
Route 1
Westminster, Maryland

VS.

JAMES F. HERBERT
105 East Main Street
Westminster, Maryland

: NO. 11575 EQUITY

IN THE

: CIRCUIT COURT

: FOR

: CARROLL COUNTY

D E C R E E

The above matter having been heard in open Court
and the Court being satisfied that there has been a voluntary

separation between the parties hereto for more than eighteen months prior to the filing of the Bill of Complaint in this Cause, and that such separation is beyond any reasonable expectation of reconciliation, it is therefore this 9th day of

May, 1969, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED and DECREED that the above named Plaintiff, Doris Louise Herbert, be and she is hereby divorced from the Defendant, James F. Herbert, a vinculo matrimonii;

It is further ORDERED and DECREED that the custody of the infant daughter of the parties hereto, Doris Bernadette Herbert, is hereby awarded to the Plaintiff, Doris Louise Herbert, and that James F. Herbert shall pay unto the Plaintiff the sum of \$ 15.⁰⁰ weekly for the support of said infant daughter, subject to the further order of this Court.

And it is further ORDERED and DECREED that the terms of the separation agreement between the parties hereto dated July 20, 1967, filed herein as "Exhibit A" be and the same are incorporated into this decree as a part hereof by reference.

Judge

Filed - May 9, 1969

LIBER 4 PAGE 203

VIRGINIA M. SHRIVER
45 Westmoreland Street
Westminster, Maryland

Plaintiff

vs

WALTER A. SHRIVER
Route 1
Westminster, Maryland

Defendant

NO. 11619 EQUITY

IN THE

CIRCUIT COURT

FOR

CARROLL COUNTY

DECREE

This matter came on for hearing in open Court on May 9, 1969. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed. It is, therefore, this 9th day of May, 1969, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Virginia M. Shriver, be, and she is hereby, divorced a vinculo matrimonii from the Defendant, Walter A. Shriver. And it is further ORDERED that the Plaintiff pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

Filed - May 9, 1969

LIBER 4 PAGE 204

ROLAND E. CLINGMAN
1905 Forrest Park Avenue
Baltimore, Maryland 21207

Complainant

VS.

SUZANNE S. CLINGMAN
Taneytown,
Maryland

Respondent

NO. 11594 EQUITY

IN THE

CIRCUIT COURT

FOR

CARROLL COUNTY

DECREE

The above cause standing ready for hearing, and having been heard and considered by the Court;

It is thereupon, this 12th day of May, 1969, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED and DECREED that the above named Complainant, Roland E. Clingman, be and he is hereby divorced A VINCULO MATRIMONII from the Respondent, Suzanne S. Clingman.

And it is further ADJUDGED, ORDERED and DECREED that the custody of the minor children of the parties hereto, namely, Jeoffrey D. Clingman and Sharon L. Clingman, shall be and remain in the Respondent, subject to the visitation by the Complainant at all reasonable times.

It is further ADJUDGED, ORDERED and DECREED that the Complainant shall pay unto the Respondent the sum of Ten Dollars (\$10.00) per week per child as child support and Five Dollars (\$5.00) per week for the maintenance and alimony of the wife.

It is further ADJUDGED, ORDERED and DECREED that the Agreement of the parties hereto dated November 22, 1967 shall be incorporated in this Decree by reference thereto.

And it is further ORDERED and DECREED that the Complainant, Roland E. Clingman, pay the costs of these proceedings.

E. O. Weant, Jr.
E. O. WEANT, JR., JUDGE

Filed May 16, 1969

CHRISTOPHER MARLEY MERCER *
 Plaintiff *
 vs. *
 HELEN MARIE MERCER *
 Defendant *
 IN THE
 CIRCUIT COURT
 FOR
 CARROLL COUNTY
 Equity No. 11614

DECREE OF DIVORCE

The Bill of Complaint and Answer having come on for hearing on May 16, 1969, Plaintiff having appeared together with corroborating witness and having offered testimony before this Court, Defendant having appeared by counsel, counsel having been heard, good cause appearing therefor, it is this 16th day of May, 1969, by the Circuit Court for Carroll County, in Equity,

ORDERED, ADJUDGED and DECREED that CHRISTOPHER MARLEY MERCER, Plaintiff, be and he is hereby rendered a divorce a vinculo matrimonii from HELEN MARIE MERCER, Defendant.

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that the care and custody of the two infant children of the parties, namely, Christopher Marley Mercer, Jr. and Cynthia May Mercer, be awarded to Helen Marie Mercer, Defendant, subject to reasonable rights of visitation to Christopher Marley Mercer, Plaintiff;

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that Christopher Marley Mercer, Plaintiff, shall pay unto Helen Marie Mercer, Defendant, the sum of 15.00 DOLLARS (\$15.00) per week per child for the support of each child, subject to further order of this Court;

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that Plaintiff shall pay the costs of these proceedings.

E. O. Weant, Jr.
 Judge

Filed - May 16, 1969

PEGGY J. TOMLIN : NO. 11611 EQUITY
 Plaintiff : IN THE
 vs. : CIRCUIT COURT
 MURRAY P. TOMLIN : FOR
 Defendant : CARROLL COUNTY
 DOCKET 21/171

DECREE

The above cause having been heard and considered in open Court it is thereupon this 23rd day of May, 1969, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that Peggy J. Tomlin be, and she is hereby divorced

a vinculo matrimonii from the Defendant, Murray P. Tomlin;

And it is further ADJUDGED, ORDERED and DECREED that the custody of the minor children of the parties hereto, namely Murray Reed Tomlin, Cathy Ann Tomlin, Brian Keith Tomlin and Lourie Sue Tomlin, shall be and remain in the said Peggy J. Tomlin, subject to visitation by the Defendant at reasonable times and for reasonable periods;

And it is further ADJUDGED, ORDERED and DECREED that Murray P. Tomlin shall pay unto Peggy J. Tomlin as child support and maintenance the sum of \$22.50 per week for each minor child in the custody of the said Peggy J. Tomlin, subject to the further order of this Court;

And it is further ORDERED and DECREED that the Defendant, Murray P. Tomlin, shall pay the costs of these proceedings.

E. O. Weant, Jr.
 E. O. Weant, Jr., Judge.

Filed - May 23, 1969

SHIRLEY MARIE NORRIS : IN THE
Complainant :
vs. : CIRCUIT COURT FOR
EUGENE BOSTON NORRIS, JR. : CARROLL COUNTY
Respondent : Equity - 21/82/11450

DE C R E E

This cause standing for hearing, testimony having been heard in open Court, and the proceedings were by the Court read and considered.

IT IS, THEREUPON, this 26th day of May, 1969, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED AND DECREED that the said SHIRLEY MARIE NORRIS, the above named Complainant, be and she is hereby DIVORCED A VINCULO MATRIMONII from the Respondent, EUGENE BOSTON NORRIS, JR.

IT IS FURTHER ORDERED AND DECREED that the custody and guardianship of GRETCHEN ROCHELLE NORRIS, minor child of the parties hereto be and the same is hereby awarded unto SHIRLEY MARIE NORRIS, the Complainant, subject to the further Order of this Court, with the right and privilege on the part of the Respondent to visit said minor child at all reasonable times.

AND IT IS FURTHER ADJUDGED, ORDERED AND DECREED that the Respondent, EUGENE BOSTON NORRIS, JR., pay to the Complainant, SHIRLEY MARIE NORRIS, accounting from the date hereof, the sum of Forty-Five Dollars (\$45.00) per month toward the support and maintenance of the said minor child, GRETCHEN ROCHELLE NORRIS.

AND IT IS FURTHER ORDERED that the said Respondent, EUGENE BOSTON NORRIS, JR., pay the costs of these proceedings.

E. D. Ward Jr.
JUDGE

Filed - May 26, 1969

VANDA S. BAUMGARDNER * NO. 11592 EQUITY
Complainant * IN THE
vs. * CIRCUIT COURT
BARRY C. BAUMGARDNER * FOR
Respondent * CARROLL COUNTY
* * *

ORDER

This cause having been heard upon the Bill of Complaint heretofore filed in this matter, it is this 26th day of May, 1969:

ORDERED:

That the above named Complainant, Vanda S. Baumgardner, be, and she is hereby divorced "A VINCULO MATRIMONII" from the Respondent, Barry C. Baumgardner; and

That the terms and conditions of the Agreement by and between the parties hereto, dated July 1, 1967, and heretofore filed in this cause, be and they are hereby ratified and approved and made a part hereof as if fully set forth herein; and

That the Respondent, Barry C. Baumgardner, pay the costs of these proceedings, as taxed by the Clerk of this Court.

E. D. Ward Jr.
Associate Judge

Filed - May 26, 1969

LARRY E. HARE	:	
32 Kemper Avenue	:	
Westminster, Maryland 21157	:	No. 11,565 Equity
Plaintiff	:	In the Circuit Court for
v.	:	Carroll County, Maryland
JEANETTE E. HARE	:	21/144
6832 Riverdale Road, #102	:	
Lanham, Maryland 20801	:	
Defendant	:	

D E C R E E

This cause standing ready for hearing, testimony having been heard in open Court, and the proceedings were by the Court read and considered.

It is thereupon, this 29th day of May, 1969, by the Circuit Court for Carroll County, in Equity, adjudged, ordered and decreed, that the said Larry E. Hare, the above named complainant be, and he is hereby, DIVORCED A VINCULO MATRIMONII from the Defendant, Jeanette E. Hare.

It is further ordered and decreed that the custody and guardianship of Patrick E. Hare, the older minor child of the parties hereto, be and the same is hereby awarded unto Larry E. Hare, Plaintiff, subject to the further order of this Court, with the right and privilege on the part of the Defendant to have reasonable visitation privileges with said child. It is further ordered and decreed that custody and guardianship of Jennifer E. Hare, the younger minor child of the parties hereto, be and the same is hereby awarded unto Jeanette E. Hare, Defendant, subject to the further order of this Court, with the right and privilege on the part of the Plaintiff to have reasonable visitation privileges with said child. It is further adjudged, ordered and decreed that the Plaintiff, Larry E. Hare, pay to the Defendant, accounting from the date hereof, the sum

Filed May 29, 1969

of One Hundred Dollars (\$100.00) per month, toward the support, maintenance and education of Jennifer E. Hare, all subject to the further order of this Court.

It is further ordered and decreed that the terms of the separation and property settlement agreement entered into between the parties hereto and dated July 30, 1966 except as to any portion or portions thereof inconsistent with the provisions of this decree shall be and the same is hereby approved and made a part of this decree without incorporating the entire provisions of the agreement in this decree.

And it is further ordered that the said Larry E. Hare, Plaintiff, pay the costs of the proceedings.

E. O. Weant, Jr.
E. O. Weant, Jr., Judge

MARTHA DAWN BRAGG : In the
 Plaintiff : Circuit Court
 vs : for
 JOHN DRURY BRAGG, SR. : Carroll County
 Defendant : No. 11613 Equity

DECREE OF DIVORCE

This cause standing ready for hearing, testimony having been heard in open court, and being submitted.

It is thereupon, this 6th day of June, 1969, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the said Martha Dawn Bragg, the above-named Plaintiff, be and she is hereby divorced a vinculo matrimonii from the Defendant, John Drury Bragg, Sr.

And, it is further ORDERED, that the Plaintiff, Martha Dawn Bragg, shall have the guardianship and custody of John Drury Bragg, Jr., the minor child of the parties in this proceeding; and that the said Defendant, John Drury Bragg, Sr., shall pay directly to the Plaintiff, the sum of \$40.00 per week for the maintenance and support of the said child, accounting from the date of this Decree; with the right of the Defendant to visit the child at all reasonable times and hours, subject to the further order of this Court.

And it is further ORDERED that the said Defendant pay the costs of this proceeding.

E. O. Weant, Jr.
 Judge

Filed - June 6, 1969

RICHARD L. SPENCER : NO. 11593 EQUITY
 31 Hersh Avenue :
 Westminster, Maryland 21157 :
 Complainant : IN THE
 VS. : CIRCUIT COURT
 HELEN R. SPENCER : FOR
 157 Uniontown Road :
 Westminster, Maryland 21157 : CARROLL COUNTY
 Respondent :

DECREE

The above cause standing ready for hearing, and having been heard and considered by the Court;

It is thereupon, this 11th day of June, 1969, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED and DECREED that the above named Complainant, Richard L. Spencer, be and he is hereby divorced A VINCULO MATRIMONII from the Respondent, Helen R. Spencer.

And it is further ADJUDGED, ORDERED and DECREED that the care and custody of the two minor children of the parties hereto, namely, Douglas Melvin Spencer and Scott Russell Spencer, is hereby awarded to the Respondent, Helen R. Spencer, subject to reasonable visitation rights by the Complainant.

And it is further ADJUDGED, ORDERED and DECREED that the Complainant, Richard L. Spencer, pay the sum of Fifteen Dollars (\$15.00) per week per child for support of the said minor children.

And it is further ORDERED and DECREED that the Complainant, Richard L. Spencer, pay the costs of these proceedings.

E. O. Weant, Jr.
 E. O. WEANT, JR., JUDGE

Filed - June 11, 1969

JOYCE RAE CREST 17 Hersh Avenue Westminster, Maryland 21157	:	NO. 11420 EQUITY
Complainant	:	IN THE
VS.	:	CIRCUIT COURT
	:	FOR
MICHAEL DEAN CREST, SR. 221 Shipley Avenue Westminster, Maryland 21157	:	CARROLL COUNTY
Respondent	:	

DECREE

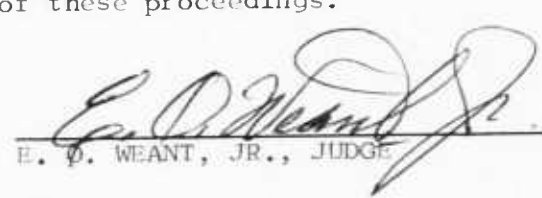
The above cause standing ready for hearing, and having been heard and considered by the Court;

It is thereupon, this 11th day of June, 1969, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED and DECREED that the above named Complainant, Joyce Rae Crest, be and she is hereby divorced A VINCULO MATRIMONII from the Respondent, Michael Dean Crest, Sr.

And it is further ADJUDGED, ORDERED, and DECREED that the care custody of the two minor children of the parties hereto, namely, Michael D. Crest, II, and Mark D. Crest, is hereby awarded to the Complainant, Joyce Rae Crest, subject to reasonable visitation rights by the Respondent.

And it is further ADJUDGED, ORDERED and DECREED that the Respondent, Michael Dean Crest, Sr., pay the sum of Ten Dollars (\$10.00) per week per child for support of the said minor children.

And it is further ORDERED and DECREED that the Complainant, Joyce Rae Crest, pay the costs of these proceedings.


E. D. WEANT, JR., JUDGE

Filed-June 11, 1969

JANICE DARLENE LOHR,	:	NO. 11516 EQUITY
Complainant	:	IN THE
-v-	:	CIRCUIT COURT
CLINTON HERBERT LOHR	:	FOR
Respondent	:	CARROLL COUNTY

ORDER

This cause having been heard upon the Bill of Complaint heretofore filed in this matter, it is this 11th day of June, 1969:

ORDERED:

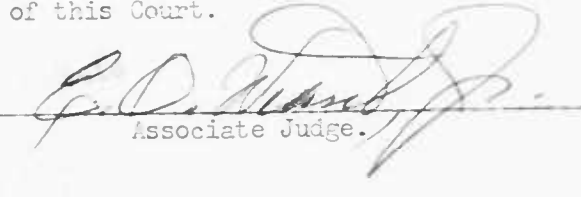
That the above named Complainant, Janice Darlene Lohr, be, and she is hereby, divorced "A VINCULO MATRIMONII" from the Respondent, Clinton Herbert Lohr;

That the guardianship and custody of the minor child of the parties hereto, Noel Christopher Lohr, be, and it is hereby, awarded to the Complainant, Janice Darlene Lohr, with the right of the Respondent, Clinton Herbert Lohr, to visit said child at reasonable times and under proper circumstances; subject to the continuing jurisdiction of this Court;

That the Respondent, Clinton Herbert Lohr, pay unto the Complainant, Janice Darlene Lohr, the sum of Ten Dollars (\$10.00) per week toward the support of the child of the parties hereto, namely, Noel Christopher Lohr, until such time as he shall reach the age of twenty-one (21) years, becomes self-supporting, enters the military service or marries, whichever shall first occur; subject to the further order of this Court;

That the terms of the Agreement by and between the parties hereto, dated May 30, 1967, and heretofore filed in this cause, be, and they are hereby, ratified and approved and made a part hereof as if fully set forth herein, excepting that part of said agreement which purports to prohibit the Complainant from seeking additional support for Noel Christopher Lohr;

That the Complainant, Janice Darlene Lohr, pay the costs of these proceedings, as taxed by the Clerk of this Court.


Associate Judge.

Filed-June 11, 1969

EDITH N. DUVALL : NO. 11021 EQUITY
 232 South Main Street :
 Mt. Airy, Maryland :
 Complainant :
 VS. :
 CARL A. DUVALL :
 Wyoming and Camden Streets :
 Camden, Delaware :
 Respondent :

DECREE

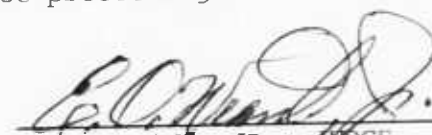
The above cause standing ready for hearing, and having been heard and considered by the Court;

It is thereupon, this 12th day of June, 1969, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED and DECREED that the above named Complainant, Edith N. Duvall, be and she is hereby divorced A VINCULO MATRIMONII from the Respondent, Carl A. Duvall.

And it is further ADJUDGED, ORDERED and DECREED that the care custody of the two minor children of the parties hereto, namely, Charles Ronnie Duvall and Vickie Yvonne Duvall, is hereby awarded to the Complainant, Edith N. Duvall, subject to reasonable visitation rights by the Respondent.

And it is further ADJUDGED, ORDERED and DECREED that the Respondent, Carl A. Duvall, pay the sum of Ten Dollars (\$10.00) per week per child for the support of the said minor children.

And it is further ORDERED and DECREED that the Complainant, Edith N. Duvall, pay the costs of these proceedings.


 E. O. WEANT, JR., JUDGE

Filed - June 12, 1969

ELSIE M. MILLER : NO. 11421 EQUITY
 Sandymount, :
 Maryland :
 Complainant :
 VS. :
 ARTHUR H. MILLER :
 Gillis Road :
 Mount Airy, Maryland :
 Respondent :

DECREE

The above cause standing ready for hearing, and having been heard and considered by the Court;

It is thereupon, this 12th day of June, 1969, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED and DECREED that the above named Complainant, Elsie M. Miller, be and she is hereby divorced A VINCULO MATRIMONII from the Respondent, Arthur H. Miller.

And it is further ADJUDGED, ORDERED, and DECREED that the care custody of the minor child of the parties hereto, namely, Phyllis Ann Miller, is hereby awarded to the Complainant, Elsie M. Miller, subject to reasonable visitation rights by the Respondent.

And it is further ADJUDGED, ORDERED and DECREED that the Respondent shall pay unto the Complainant the sum of Ten Dollars (\$10.00) per week for support of said minor child.

And it is further ORDERED and DECREED that the Complainant, Elsie M. Miller, pay the costs of these proceedings.


 E. O. WEANT, JR., JUDGE

Filed - June 12, 1969

GEORGINA S. GUERNICA,	:	IN THE
Plaintiff	:	CIRCUIT COURT
-vs-	:	FOR
ARMANDO A. GUERNICA,	:	CARROLL COUNTY
Defendant	:	Docket No. 11599
	:	File No. 21/165

: : : : : :

DECREE OF DIVORCE

This cause standing ready for hearing and being duly submitted, the proceedings were by the Court heard and considered on June 13, 1969.

It is thereupon, this 18th day of June A.D., 1969 by the Circuit Court for Carroll County, Adjudged, Ordered and Decreed that the said Georgina S. Guernica, the above named Complainant, be and she is hereby DIVORCED A VINCULO MATRIMONII from the defendant, Armando A. Guernica.

AND IT IS FURTHER ORDERED that the Agreement between the parties dated September 5, 1967, and a Supplemental Agreement thereto, heretofore filed in these proceedings, be and the same is hereby approved and, in accordance therewith, the Plaintiff shall have the guardianship and custody of the three minor children of the parties, with the Defendant paying support therefor to the Plaintiff in the amount of \$34.00 per month for each said minor child, with the Plaintiff waiving her right to alimony and support, and with the Defendant having the right to visit said minor children as provided in said Agreement and at such other and further reasonable times as agreed to by the parties, all of the above being subject to the further order of this Court in the premises.

AND IT IS FURTHER ORDERED that the legal name of the Plaintiff shall be her maiden name; namely, GEORGINA T. SABAT.

AND IT IS FURTHER ORDERED that the said Georgina S.

Filed June 18, 1969

Guernica pay the cost of this proceeding.

E. O. M. J.
Judge

In The Matter of Raymond : NO. 11658 EQUITY
 Lambert : IN THE CIRCUIT COURT
 ON PETITION : FOR
 : CARROLL COUNTY, MARYLAND
 : : : :

DECREE

Upon consideration of the foregoing Petition, Exhibits and Affidavit thereto, it is this 24th day of June, 1969, by the Circuit Court for Carroll County, Maryland, sitting as a Court of Equity and by the authority thereof ORDERED, ADJUDGED and DECREED that Notice by Publication need not be given and it is further ORDERED that the name of the Petitioner, Raymond Lambert, be and is hereby changed from Raymond Lambert to Frank Raymond Lambert, and that the said Petitioner pay the costs of these proceedings to be taxed by the Clerk of this Court.

E. D. Ward, Jr.
 JUDGE

Filed - June 24, 1969

BILLIE L. MULLINIX : NO. 11646 EQUITY
 6 Church Street :
 Sykesville, Maryland 21784 :
 Complainant : IN THE
 VS. : CIRCUIT COURT
 : FOR
 ROBERT LEE MULLINIX : CARROLL COUNTY
 c/o Lowry N. Barnes, Esquire :
 33 Court Street :
 Westminster, Maryland 21157 :
 Respondent :

DECREE

The above cause standing ready for hearing, and having been heard and considered by the Court;

It is thereupon, this 26th day of June, 1969, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED and DECREED that the above named Complainant, Billie L. Mullinix, be and she is hereby divorced A VINCULO MATRIMONII from the Respondent, Robert Lee Mullinix.

And it is further ORDERED and DECREED that the Respondent, Robert Lee Mullinix, pay the costs of these proceedings.

And it is further ORDERED and DECREED that the Complainant shall be entitled to resume her maiden name, that being, Billie Linette Wells.

E. D. Ward, Jr.
 JUDGE

Filed - June 26, 1969

AUGUSTUS T. WRIGHT * IN THE CIRCUIT COURT
Complainant * FOR CARROLL COUNTY
vs. * WESTMINSTER, MARYLAND
SHARON LEE WRIGHT * EQUITY NO. 11463 21/90
Respondent *

DECREE

This Cause coming on for hearing on this 26th day of June, 1969, the Complainant Augustus T. Wright, testified together with his witness. The Respondent Sharon Lee Wright, and her Solicitor failed to appear, the proceedings were read and considered together with the testimony of the Complainant and his witness.

It is this 27th day of June, 1969, by the Circuit Court for Carroll County, Westminster, Maryland, sitting in Equity, ORDERED, that the Complainant Augustus T. Wright, be and he is hereby DIVORCED A VINCULO MATRIMONII from the Respondent Sharon Lee Wright.

And it is further ORDERED, that the Complainant Augustus T. Wright, pay the costs of these proceedings as taxed by the Clerk of this Court.

E. P. Ward Jr.
JUDGE

Filed - June 27, 1969

ELSIE CAROTHERS, * EQUITY NO. 11524
Complainant * IN THE
vs. * CIRCUIT COURT
DONALD E. CAROTHERS, * FOR
Respondent * CARROLL COUNTY
* * *

ORDER

This cause having been heard upon the Bill of Complaint heretofore filed in this matter, it is this 27th day of June, 1969:

ORDERED:

That the above named Complainant, Elsie Carethers, be, and she is hereby divorced, "A VINCULO MATRIMONII" from the Respondent, Donald E. Carethers;

That the guardianship and custody of the two minor children of the parties hereto, David W. Carethers and Michael E. Carethers, be, and it is hereby, awarded to the Complainant, Elsie Carethers, with the right of the Respondent, Donald E. Carethers, to visit said child at reasonable times and under proper circumstances; subject to the continuing jurisdiction of this Court;

That the Respondent, Donald E. Carethers, pay unto the Complainant, Elsie Carethers, the sum of Twenty-five Dollars (\$25.00) per week toward the support of the children of the parties hereto, namely, David W. Carethers and Michael E. Carethers, one-half of the said sum to be abated at such time as each shall reach the age of twenty-one (21) years, becomes self-supporting, enters the military service or marries, whichever shall first occur; subject to the further order of this Court;

That the terms of the Agreement by and between the parties hereto, dated June 28, 1968, and heretofore filed in this cause, be, and they are hereby, ratified and approved and made a part hereof as if fully set forth herein, excepting lines 5 and 6 of paragraph 2, page 3.

That the Complainant, Elsie Carethers, pay the costs of these proceedings, as taxed by the Clerk of this Court.

E. P. Ward Jr.
ASSOCIATE JUDGE

Filed June 27, 1969

BETTY ANN POND * IN THE
 320 East Baltimore Boulevard * CIRCUIT COURT
 Westminster, Maryland 21157 *
 Plaintiff * FOR
 vs. *
 CLARENCE E. POND, JR. * CARROLL COUNTY
 c/o Clarence E. Pond *
 Sandymount, Maryland * IN EQUITY
 Defendant *
 * Docket 21
 * Folio 174
 * File 11618

* * * * *

DECREE OF DIVORCE

The Bill of Complaint filed in the above proceedings having come on for hearing, Plaintiff having appeared together with corroborating witness offering testimony before this Court, and upon consideration of testimony and evidence before this Court it is this ^{1st} ~~27th~~ day of ^{July} ~~June~~, 1969, by the Circuit Court for Carroll County sitting as a Court of Equity, ADJUDGED, ORDERED and DECREED that the said Betty Ann Pond, Plaintiff be and she is hereby divorced a vinculo matrimonii from Clarence E. Pond, Jr., Defendant.


AND it is further ADJUDGED, ORDERED, and DECREED that the Division of Property, Custody and Child Support Agreement between the parties, dated June 26, 1969, a copy executed under oath having been filed in these proceedings be and it is hereby incorporated into and made a part of this Decree.

AND it is further ADJUDGED, ORDERED and DECREED that the care, custody, and control of the parties minor child, viz: Susan Lee Pond, be and the same is hereby awarded to the Plaintiff, Betty Ann Pond, with reasonable rights of visitation given to the Defendant, Clarence E. Pond, Jr., and the Defendant Clarence E. Pond, Jr. shall pay to the Plaintiff, Betty Ann Pond, the sum of Fifteen Dollars (\$15.00) per week, child support, said sum to be payable every two weeks, through the Clerk of this Court, with the first payment to commence on July 16, 1969. He

Filed - July 1, 1969

is further ordered to be responsible for all major medical expenses necessary to the well being of the said minor child.

AND it is further ADJUDGED, ORDERED, and DECREED that the Defendant pay the costs of these proceedings as taxed by the Clerk of this Court.


 Judge Edward O. Weant, Jr.

No. 11623 **EQUITY** **Docket** 21 **Folio** 177

CIRCUIT COURT FOR CARROLL COUNTY

Vera Louise Onheiser

VS.

Walter Onheiser

11623

No.

[illegible]

Deby , 1969;

ORDERED:

That the above-named Complainant, Michael L. Janac, be, and he is hereby divorced "A VINCULO MATRIMONII" from the Respondent, Theresa E. Janac;

E. P. Ward Jr.
ASSOCIATE JUDGE

Filed - July 3, 1969

JANET LEE HUMPHREY, *
 Plaintiff, *
 vs. *
 CHARLES ERNEST HUMPHREY, *
 Defendant. *

IN THE
 CIRCUIT COURT
 FOR
 CARROLL COUNTY
 Equity No. 11597

DECREE OF DIVORCE

The Bill of Complaint herein having been filed, the Defendant having been duly summoned and having failed to appear, the Plaintiff having secured a Decree Pro Confesso against Defendant on April 23, 1969, the said Bill of Complaint having come on for hearing, the Plaintiff having appeared together with corroborating witnesses offering testimony before this Court, counsel having been heard, it is this 3rd day of July, 1969, by the Circuit Court for Carroll County, in Equity, ORDERED, ADJUDGED and DECREED that JANET LEE HUMPHREY, Plaintiff, be and she is hereby divorced a vinculo matrimonii from CHARLES ERNEST HUMPHREY, Defendant.

And it is further ORDERED, ADJUDGED and DECREED that the guardianship and custody of TONJA LYNN HUMPHREY and DAWN MARIE HUMPHREY, the infant children of the parties, be and the same is hereby awarded to JANET LEE HUMPHREY, Plaintiff, subject to further order of this Court.

And it is further ORDERED, ADJUDGED and DECREED that Defendant, CHARLES ERNEST HUMPHREY, shall pay the sum of \$ 50.⁰⁰ per week for the support of the infant children of the parties, the sum of \$ 16.⁰⁰ per week as alimony for Plaintiff, JANET LEE HUMPHREY, the sum of \$ 300.⁰⁰ as counsel fee to William B. Dulany, Attorney for Plaintiff, and the costs of these proceedings, and that all payments shall be made through the Clerk of this Court.

E. O. Weant, Jr.
 E. O. WEANT, JR., JUDGE

Filed - July 3, 1969

ANITA M. DAVIS *
 Plaintiff *
 vs. *
 THOMAS L. DAVIS *
 Defendant *

NO. 10951 EQUITY
 IN THE
 CIRCUIT COURT
 FOR
 CARROLL COUNTY

DECREE

This matter came on for hearing on June 26, 1969, on the Amended Bill of Complaint for Divorce, Custody and Support filed by the Plaintiff. Although the Defendant did not appear, he was represented by his attorney, David D. Patton, Esquire, who was present in Court. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this 3rd day of July, 1969, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Anita M. Davis, be, and she is hereby, divorced a vinculo matrimonii from her husband, the Defendant, Thomas L. Davis. It is further ADJUDGED, ORDERED AND DECREED that the Plaintiff, Anita M. Davis, be, and she is hereby, awarded the care, custody and control of the infant children of the parties, namely, Thomas Eugene Davis, Elizabeth Jane Davis and Michael Steven Davis, with the right and privilege reserved unto the Defendant to visit said children at reasonable times; and the Defendant is hereby ORDERED to pay the sum of Twenty Dollars (\$20) per week per child for the support and maintenance of the infant children of the parties until each child respectively shall attain the age of twenty-one (21) years, die, marry, or become self-supporting, whichever shall first occur, said payments to be made through the Clerk of the Circuit Court for Carroll County, all of which is in accordance with a Stipulation entered into between the parties hereto and made a part of the record in this proceeding. And it is further Ordered that the Defendant pay the costs of these proceedings as taxed by

Filed - July 7, 1969

the Clerk of this Court. The foregoing provisions of this decree with respect to custody and support of the infant children of the parties are and shall remain subject to the further order of this Court.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

LEWIS C. RICHARDS	§	NO. 11431 EQUITY
Plaintiff	§	IN THE
-v-	§	CIRCUIT COURT
JOY H. RICHARDS	§	FOR
Defendant.	§	CARROLL COUNTY

OPINION AND DECREE

The parties to these proceedings, Lewis C. Richards and Joy H. Richards, his wife, have been in this Court three times regarding their marital difficulties. The first case was brought by way of a Petition for Visitation Rights by Lewis C. Richards against his wife and her parents, No. 10694 Equity. This case was subsequently dismissed by order of Court when the parties failed to prosecute the issue. Three days after the filing of No. 10694 Equity, Joy H. Richards, in No. 10697 Equity, filed a Bill of Complaint for Divorce, Alimony, Custody and Support of Minor Children. This Bill alleged desertion on the part of Lewis C. Richards. A hearing was had on this Petition and the divorce denied. In that decree the Court awarded the care and custody of Tamara Lynn Richards, Kenneth Shawn Richards and Daryn Craig Richards to Joy H. Richards. After the passage of this decree there was an inordinant amount of activity in that case relative to the failure of the said Lewis C. Richards to pay the support money ordered by the Court and the failure of the said Joy H. Richards to allow visitation rights to the said Lewis C. Richards. A hearing was had in the matter on November 15, 1968, and the Court requested that an investigation be made by the Carroll County Department of Social Services for the purpose of helping the Court in deciding the matter of the custody

Filed - July 3, 1969

and visitation rights of the children. When the present case came on for hearing on June 19, as a result of a Bill of Complaint for Divorce filed on behalf of Lewis C. Richards against Joy H. Richards, it was brought to the Court's attention that no ruling had ever been handed down in No. 10697 Equity. Upon investigation the Court ascertained that no report had ever been received from the Carroll County Department of Social Services in response to the Court's request. After the said hearing on June 19, the Court again contacted the Carroll County Department of Social Services by telephone and letter and finally received the requested report on July 2nd, 1969.

The present proceeding was based on the ground of desertion and adultery on the part of Joy H. Richards. According to the Court's recollection, the proof in the instant case differed somewhat from the proof in No. 10697 Equity in that there is no indication in the present case that Lewis C. Richards ever made any attempt at reconciliation after he delivered her to her mother's and thereafter refused to pick her up. We cannot say from this situation that the said Joy H. Richards was guilty of desertion as alleged.

As far as the allegation of adultery is concerned, we have some proof that the said Joy H. Richards was seen from time to time hugging and kissing with a man other than her husband. Beyond this we do not find such proof of adultery as meets the criteria set down by the Court of Appeals many times and recently in the cases of Matakieff v. Matakieff, 246 Md. 23, at 31; and Laccetti v. Laccetti, 245 Md. 97, at 102, as follows:

"To prove adultery, the circumstantial evidence must clearly establish (1) a disposition on the part of the defendant and the paramour to commit adultery, and (2)

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an opportunity to commit the offense. After considering these and all other facts and circumstances in the case, the court then determines whether the evidence would convince an unprejudiced and cautious person of the guilt of the defendant."

While it may well be true that the Defendant has in fact committed adultery, we feel that the proof falls short of these elements stated by the Court of Appeals.

We feel constrained here to comment that it is the opinion of this Court that the breakup of these parties, whatever might have been the original cause, has long since ripened into voluntary separation. In fact, it is most probably true that the original separation was voluntary on the part of both parties.

Anent the custody of the children, Kenneth Shawn Richards, Tamara Lynn Richards and Daryn Craig Richards, we must consider this problem in light of what is best for the children. The children under consideration here are 9 years old, 8 years old and 5 years old respectively. In the case of Hild v. Hild, 221 Md. 349, at page 357, the Court of Appeals has said:

"Since the mother is the natural custodian of the young and immature, custody is ordinarily awarded to her, at least temporarily, in legal contests between parents when other things are equal, even when the father is without fault, provided the mother is a fit and proper person to have custody."

In this case the children in question are young and immature and though the mother has from time to time shown tendencies towards indiscreetness, we do not find that she has been proven to be unfit. The report of the Carroll County Department of Social Services indicates that the children are well cared for in the custody of Mrs. Richards. We get the feeling, however, that there

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may be some undue influence exerted on the children by the Grandparents Palmer.

As far as visitation rights are concerned, we feel that the children should definitely be allowed and directed to visit with their father away from the home of the mother at reasonable times. We think that the children should enjoy and, at the same time, receive the natural benefit from having the paternal contact. We understand that Mrs. Richards believes that the children are mistreated when they go to Grandmother Richards' home because they are required to taste all of the food on the table at mealtime. We personally can find nothing detrimental in this action, if true. In fact, we are of the opinion that this action would be more beneficial than detrimental.

We shall award the custody of the said three children to the mother and require the father to pay the amount stipulated to by the parties on June 19, 1968. The father also shall receive reasonable visitation rights with these children. According to the allegations in the Plaintiff's Amended Bill of Complaint for Divorce there was a fourth child born to Mrs. Richards, which, according to said allegations, was conceived as a result of an adulterous act on the part of the Defendant. However, in the opinion of the Court there was insufficient proof of these allegations and, without same, this Court has no intention of bastardizing this infant without positive proof of this fact. Nevertheless, since the Plaintiff has not seen fit to request custody or visitation rights with this child, we will not include same in our Order.


The Court will further order the Clerk to close No. 10697 Equity with reference to Equity No. 11431 as that matter is concluded herein.

It is thereupon, this 3rd day of July, 1969, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the divorce a vinculo matrimonii prayed herein be, and the same is hereby, Denied.

It is further ADJUDGED, ORDERED and DECREED that the said Joy H. Richards be given the care and custody of the children, namely, Tamara Lynn Richards, Kenneth Shawn Richards and Daryn Craig Richards, and that the Plaintiff, Lewis C. Richards, pay unto the said Joy H. Richards, the sum of Twenty-five Dollars (\$25.00) per week toward the support of said children during their infancy, or until they are married or become self-supporting. It is ORDERED that the said Lewis C. Richards be allowed the right of visitation with said children away from the home of Joy H. Richards on the first weekend of each month from 6:00 P.M. on Friday until 6:00 P.M. on Sunday, every other legal holiday as set forth in the Annotated Code of Maryland, commencing with Labor Day, and the first full week of August. It is further ORDERED that during the visits with Lewis C. Richards the said children shall reside with the paternal grandmother.

It is ORDERED that the Clerk of this Court enter as "Closed" No. 10697 Equity with reference in said entry to No. 11431 Equity.

It is further ORDERED that Lewis C. Richard and Joy H. Richards divide the costs of these proceedings, as taxed by the Clerk of this Court.


Associate Judge.

SANDRA M. FLOWERS
Plaintiff
vs
FLOYD H. FLOWERS, JR.
Defendant

NO. 11624 EQUITY
IN THE
CIRCUIT COURT
FOR
CARROLL COUNTY

DECREE

This matter came on for hearing on June 26, 1969. The Defendant did not appear in Court although he did file with the Court a letter which may be construed as an answer. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this 31st day of July, 1969, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Sandra M. Flowers, be, and she is hereby, divorced a vinculo matrimonii from her husband, the Defendant, Floyd H. Flowers, Jr. And it is further ADJUDGED, ORDERED AND DECREED that the Plaintiff, Sandra M. Flowers, be, and she is hereby, awarded the care, custody and control of the infant child of the parties, namely, Floyd H. Flowers, III (born February 15, 1967) with the right and privilege on the part of the Defendant, Floyd H. Flowers, Jr., to visit said child at reasonable times; and the Defendant is hereby ORDERED to pay the sum of \$20.00 per week, accounting from the date of this decree, for the support, maintenance and education of the infant child of the parties until said child reaches the age of twenty-one years, dies, marries or becomes self-supporting, whichever shall first occur.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

Filed - July 7, 1969

PAUL E. WISNER
Plaintiff
vs.
CHERYL A. WISNER
Defendant

IN THE
CIRCUIT COURT
FOR
CARROLL COUNTY
WESTMINSTER, MARYLAND
Equity No. 11628

* * * * *

DECREE OF DIVORCE

The Bill of Complaint in the above entitled cause having come on for hearing, Plaintiff having appeared together with corroborating witness offering testimony before this Court, and upon consideration of the testimony and evidence before this Court, it is this 22nd day of July, 1969, by the Circuit Court for Carroll County, sitting as a Court in Equity, ORDERED, ADJUDGED and DECREED that the said PAUL E. WISNER, Plaintiff, be, and he is hereby divorced a vinculo matrimonii from CHERYL A. WISNER, Defendant.

And it is further ORDERED, ADJUDGED and DECREED that the Separation Agreement between the parties, dated December 9, 1969, a copy executed under oath having been filed in these proceedings, be, and it is hereby incorporated into and made a part of this Decree, subject to the further Order of this Court with respect to custody and support of the minor child named therein. And it is further ORDERED, ADJUDGED and DECREED that CHERYL A. WISNER, Defendant, shall have the right to have the minor child visit with her during her vacations during the summer, not to exceed two weeks, shall have the right to visit with the minor child on Sunday afternoons, and to have the minor child on alternate legal holidays as set forth in the Annotated Code of Maryland, commencing with July 4th, 1969.

And it is further ORDERED, ADJUDGED and DECREED that the Plaintiff pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

Filed - July 22, 1969

BETTY K. COLE * IN THE
Plaintiff * CIRCUIT COURT
vs. * FOR
RICHARD JAMES COLE * CARROLL COUNTY
Defendant * IN EQUITY
* 21/135/11548
*

DECREE OF DIVORCE A VINCULO MATRIMONII

The captioned case having been heard in Open Court, testimony having been taken and evidence presented, argument of counsel having been heard and the entire matter having been read and considered, it is this 22nd day of July, 1969,

ORDERED AND DECREED by the Circuit Court for Carroll County:

1. That the Plaintiff, BETTY K. COLE, be and she is hereby divorced A Vinculo Matrimonii from the Defendant, Richard James Cole;
2. That the Plaintiff, BETTY K. COLE, is hereby awarded the care and custody of the six children of the parties, namely Deborah Kay Cole, Kelly Ann Cole, Shelly Lynn Cole, Toni Marie Cole, Terri Elisa Cole and Betty Kay Cole;
3. That the Defendant shall continue to be responsible for the support of said children and shall have the right to visit with and be visited by said children at all reasonable times;
4. That no right of alimony shall accrue to the Plaintiff from the Defendant by virtue of her express waiver thereof;
5. That the Defendant shall pay the costs of these proceedings; all subject to the further order of this court in the premises.

E. O. Weant, Jr.
JUDGE

Filed - July 22, 1969

JOHN EDWARD STONESIFER, a Minor : NO. 11104 EQUITY
by Walter E. Stonesifer, his :
Father and Next Friend :
R. F. D. # 3 :
Westminster, Maryland 21157 : IN THE
Complainant : CIRCUIT COURT
VS. : FOR
KATHLEEN LOUISE STONESIFER : CARROLL COUNTY
R. F. D. # 3 :
Rinehart Road :
Westminster, Maryland 21157 :
Respondent :

DECREE

The above cause standing ready for hearing, and having been heard and considered by the Court;

It is thereupon, this 22nd day of July, 1969, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED and DECREED that the above named Complainant, John Edward Stonesifer, be and he is hereby divorced A VINCULO MATRIMONII from the Respondent, Kathleen Louise Stonesifer.

And it is further ORDERED and DECREED that the Complainant, John Edward Stonesifer, pay the costs of these proceedings.

E. O. Weant, Jr.
E. O. WEANT, JR., JUDGE

Filed - July 22, 1969

ROGER W. HAWKESWORTH, JR.	0	NO. 11441 EQUITY
	0	
Plaintiff and	0	IN THE
Cross-Defendant	0	
	0	CIRCUIT COURT
vs	0	
	0	FOR
PATRICIA HAWKESWORTH	0	CARROLL COUNTY
	0	
Defendant and	0	
Cross-Plaintiff	0	

DECREE

This matter came on for hearing on April 17, 1969, both parties to this proceeding being present in court with his and her respective counsel. Upon motion of the Plaintiff's counsel, the original Bill of Complaint was dismissed in open court and the case was tried on the Cross-Bill of Complaint filed by Patricia Hawkesworth. Upon receiving testimony in open court, it appears that the Cross-Plaintiff is entitled to the relief prayed.

It is therefore this 24th day of July, 1969, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED, AND DECREED that the Cross-Plaintiff, Patricia Hawkesworth, be, and she is hereby, divorced a vinculo matrimonii from her husband, the Cross-Defendant, Roger W. Hawkesworth, Jr. And it is further ADJUDGED, ORDERED, and DECREED that the Cross-Plaintiff be, and she is hereby, awarded the care and custody of the infant children of the parties, namely, Roger Warren Hawkesworth and Charles Wayne Hawkesworth. And the Cross-Defendant, Roger W. Hawkesworth, Jr., is hereby Ordered to pay unto the Cross-Plaintiff for the support and maintenance of said infant children the sum of \$10.00 per week per child, accounting from the date of this decree, until each child dies, marries, reaches the age of twenty-one years or becomes self-supporting, whichever shall first occur. And it is further Ordered that the Cross-Defendant pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

Filed - July 24, 1969

Paul Chester Boone,	:	No. 11600 Equity.
	:	
Plaintiff	:	In the
vs.	:	Circuit Court
	:	for
Nettie Rebecca Boone,	:	Carroll County.
Defendant	:	

DECREE

This matter coming on for hearing on bill of complaint for divorce a vinculo matrimonii on the ground of voluntary separation; the defendant having been duly served but failed to answer said bill of complaint within the time required by the rules of this Court. A decree pro confesso was entered on June 21, 1969.

It is thereupon, this 29th day of July 1969, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED and DECREED, that the plaintiff, Paul Chester Boone, be and he is hereby divorced a vinculo matrimonii from the defendant, Nettie Rebecca Boone.

It is further ADJUDGED, ORDERED and DECREED, that the plaintiff, Paul Chester Boone, pay to the defendant, Nettie Rebecca Boone, the sum of Ten Dollars (\$ 10.00) per week toward the support, maintenance and welfare of Janice Marie Boone, the minor child of the parties hereto, subject to the further order of this Court and it is further ORDERED that the plaintiff, Paul Chester Boone, pay the costs of these proceedings as taxed by the Clerk of this Court.

The Court shall not make any determination at this time regarding the care, custody and guardianship of Janice Marie Boone, the minor child of the parties hereto, but will ask the Carroll County Department of Social Services to make an investigation and report back to this Court.

E. O. Weant Jr.
E. O. WEANT JR., Associate Judge

Filed July 29, 1969

SHARON WILLIAMS KOONS : NO. 11609 EQUITY
 Complainant : IN THE
 VS. : CIRCUIT COURT
 TERRY L. KOONS : FOR
 Respondent : CARROLL COUNTY

DECREE

The above cause standing ready for hearing, and having been heard and considered by the Court;

It is thereupon, this 1st day of August, 1969, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED and DECREED that the above named Complainant, Sharon Williams Koons, be and she is hereby divorced A VINCULO MATRIMONII from the Respondent, Terry L. Koons.

And it is further ADJUDGED, ORDERED and DECREED that the Complainant, Sharon Williams Koons, be entitled to resume her maiden name of Williams.

And it is further ORDERED and DECREED that the Complainant pay the costs of these proceedings as taxed by the Clerk of the Court.

E. D. Wand Jr.
 JUDGE

Filed August 1, 1969

JERRY Y. HAGY : NO. 11296 EQUITY
 Clearview Drive :
 Hampstead, Maryland : IN THE
 Plaintiff : CIRCUIT COURT
 VS. : FOR
 WILLARD P. HAGY, JR. : CARROLL COUNTY
 4306 Valleyview Avenue :
 Baltimore, Maryland :
 Defendant :

DECREE

The above cause standing ready for hearing, and having been heard and considered by the Court;

It is thereupon, this 1st day of August, 1969, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED and DECREED that the above named Complainant, Jerry Y. Hagy, be and she is hereby divorced A VINCULO MATRIMONII from the Respondent, Willard P. Hagy, Jr.

And it is further ADJUDGED, ORDERED and DECREED that the care and custody of the two minor children, namely, Gwendolyn Y. Hagy, and Sherri D. Hagy, is hereby awarded to the Complainant, Jerry Y. Hagy, subject to reasonable visitation rights by the Respondent.

And it is further ADJUDGED, ORDERED and DECREED that the Respondent, Willard P. Hagy, Jr., shall pay unto the Complainant the sum of ~~Twenty~~ Seventeen Dollars and Fifty Cents (\$17.50) per week per child for the support of the said minor children, subject to the further Order of this Court.

And it is further ORDERED and DECREED that the parties hereto divide the Court costs as taxed by the Clerk of this Court.

E. D. Wand Jr.
 JUDGE

Filed August 1, 1969

ALBERT WESLEY REESE * IN THE
Complainant * CIRCUIT COURT
vs. * FOR
RUTH ANN REESE * CARROLL COUNTY
Respondent * EQUITY NO. 11636
* * *

DECREE OF DIVORCE

This cause having been heard upon the Bill of Complaint
heretofore filed in this matter, it is this 5th day of
August, 1969;

ORDERED:

That the above-named Complainant, Albert Wesley Reese, be,
and he is hereby divorced "A VINCULO MATRIMONII" from the Respondent,
Ruth Ann Reese;

That the guardianship and custody of the two minor children
of the parties hereto, namely, Brian Keith Reese and Kevin Dudley
Reese be, and it is hereby awarded to the Complainant, Albert Wesley
Reese, with the right of the Respondent, Ruth Ann Reese, to visit
said children at reasonable times and under proper circumstances,
subject to the continuing jurisdiction of this Court;

That the Complainant, Albert Wesley Reese, pay the costs of
these proceedings, as taxed by the Clerk of this Court.

E. O. Smith, Jr.
ASSOCIATE JUDGE

Filed - Aug. 5, 1969

WADE O. SMITH, JR. * IN THE CIRCUIT COURT
Complainant * FOR CARROLL COUNTY
vs. * WESTMINSTER, MARYLAND
RUTH HELEN SMITH * EQUITY No. 11650 21/191
Respondent *

* * *

DECREE

This case coming on for hearing on August 1, 1969,
following a Decree Pro Confesso, the Complainant and his
witness having been heard, the proceedings were read and con-
sidered by this Court.

It is this 5th day of August, 1969, by the
Circuit Court for Carroll County, Westminster, Maryland, sit-
ting in Equity, ORDERED, that the Complainant, Wade O. Smith,
Jr., be and he is hereby DIVORCED A VINCULO MATRIMONII from the
Respondent, Ruth Helen Smith.

And it is further ORDERED, that the Complainant,
Wade O. Smith, Jr., pay the costs of these proceedings as taxed
by the Clerk of this Court.

E. O. Smith, Jr.
Judge

Filed - Aug. 5, 1969

TRUMAN S. MILLER,	Ø	NO. 11591 EQUITY
Complainant	Ø	IN THE
--v--	Ø	CIRCUIT COURT
BETTY LaRUE MILLER	Ø	FOR
Respondent.	Ø	CARROLL COUNTY

OPINION AND DECREE

This matter comes before the Court as a Bill of Complaint for a divorce a mensa et thoro filed on behalf of Truman S. Miller, Complainant, against Betty LaRue Miller, Respondent, on the ground of desertion. The Bill also seeks the custody of the four minor children. A hearing was had on the matter on April 17, 1969, and a decision was reserved by the Court pending a report from the Department of Social Services on the home conditions of the two parties. The Court has received these reports, one from the Carroll County Department of Social Services and one from the Children's Services of York County, Pa.

The proof showed that the parties were living apart and have been since on or about January 30, 1969. The two older children, Wayne Allen Miller and Linda Jane Miller, are residing with the Complainant at his home in Carroll County and the two younger children, Cheryl Ann Miller and Tammy Lee Miller, are residing with the Respondent in Hanover, Pennsylvania.

The report of the Carroll County Department of Social Services dated June 17, 1969, gives the impression that all is sweetness and light between the parties, that they are living happily separated at the locations mentioned above and that there is no animosity but much visiting between the families. It further states that Mr. Miller is paying Ten Dollars (\$10.00) per

Filed - Aug 7, 1969

week child support to his wife. However, the fact that this Court received a Petition and Order under the Uniform Reciprocal Support Act on July 10, 1969, from Pennsylvania, Equity No. 11666, would seem to belie this impression. This latter Petition was filed by Betty L. Miller asking support for Cheryl Ann Miller and Tammy Lee Miller in the amount of Twenty Dollars (\$20.00) per week. The separation of the parties is, of course, blamed on the Complainant, Truman S. Miller, in the said Petition for Support.

It would appear to us that this case was brought more as a matter of custody than a serious contention for divorce as the proof of the Complainant is absolutely devoid of corroboration for his contention that the Respondent had deserted him. Nor do we find that he has produced any proof that would show that the Respondent is unfit to care for the children she now has in her custody. Since the mother is not seeking custody of the two older children which are now in the custody of the Complainant and since the report of the Carroll County Department of Social Services confirms the contention that they are being well cared for by the Complainant, we will make no change in the present custody arrangements.

Ordinarily, we would decide herein the matter of the child support which is also presented by Equity No. 11666 but, in light of the fact that the Respondent was not personally summoned in the instant case nor represented at the trial, we feel it best to await the hearing on the non-support case before disposing of that problem.

It is thereupon, this 7th day of August, 1969, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the prayer for divorce a mensa et thoro filed herein on behalf of Truman S. Miller and against Betty LaRue

Miller be, and the same is hereby, Denied. It is further ORDERED that the care and custody of Wayne Allen Miller and Linda Jane Miller be awarded to Truman S. Miller and that the care and custody of Cheryl Ann Miller and Tammy Lee Miller be awarded to Betty LaRue Miller, with reasonable visitation rights on the part of both parties.

It is further ORDERED that the Complainant, Truman S. Miller, pay the costs of these proceedings, as taxed by the Clerk of this Court.

E. D. Ward Jr.
Associate Judge.

HARRY T. SHRIVER	:	NO. 11617 EQUITY
Murray Road	:	
Finksburg, Maryland 21048	:	IN THE
Complainant	:	CIRCUIT COURT
VS.	:	FOR
SANDRA LEE SHRIVER	:	CARROLL COUNTY
Taneytown Hotel	:	
Taneytown, Maryland 21787	:	
Respondent	:	

DECREE

The above cause standing ready for hearing, and having been heard and considered by the Court:

It is thereupon, this 8th day of August, 1969, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED, and DECREED that the above named Complainant, Harry T. Shriver, be and he is hereby divorced A VINCULO MATRIMONII from the Respondent, Sandra Lee Shriver.

And it is further ORDERED and DECREED that the Complainant, Harry T. Shriver, pay the costs of these proceedings.

E. D. Ward Jr.
JUDGE

Filed - Aug 8, 1969

WILLIAM V. HEAPS	:	NO. 11626 EQUITY
Bond Road	:	IN THE
Parkton, Maryland	:	CIRCUIT COURT
Complainant	:	FOR
vs.	:	CARROLL COUNTY
KATHLEEN B. HEAPS	:	
Freeland, Maryland	:	
Defendant	:	

DECREE OF COURT

This matter came on for hearing, and testimony having been taken in open Court. Although it appears that the Defendant was duly summoned, she neither appeared nor answered, and a Decree Pro Confesso was passed.

Therefore, it is this *8th* day of *August*, 1969, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED AND DECREED, that the Complainant, William V. Heaps, be, and he is hereby, divorced a vinculo matrimonii from the Defendant, Kathleen B. Heaps.

And it is further ORDERED that the Complainant pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant, Jr.
JUDGE

Filed - Aug 8, 1969

CHARLES RONALD FURRY	:	NO. 11660 EQUITY
Plaintiff	:	IN THE
vs.	:	CIRCUIT COURT
JACQUELIN DARLENE FURRY	:	FOR
Defendant	:	CARROLL COUNTY

DECREE

This matter came on for hearing on August 8, 1969. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed. It is therefore this *11th* day of August, 1969, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Charles Ronald Furry, be, and he is hereby, divorced a vinculo matrimonii from the Defendant, Jacquelin Darlene Furry. And it is further Ordered that the Plaintiff pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

Filed - Aug 11, 1969

VIRGINIA V. FINK
Plaintiff
vs
LEONARD LEE FINK
Defendant

NO. 11641 EQUITY
IN THE
CIRCUIT COURT
FOR
CARROLL COUNTY

DECREE

This matter came on for hearing on July 3, 1969. Although the Defendant was not present in Court, he was represented by counsel, Malcolm B. Tebbs, Esquire, who appeared on his behalf. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this 15th day of August, 1969, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Virginia V. Fink, do, and she do hereby, divorced a vinculo matrimonii from her husband, the Defendant, Leonard Lee Fink. And the Defendant is hereby ORDERED to pay unto the Plaintiff as alimony for her support and maintenance the sum of Fifteen Dollars (\$15) per week accounting from the date of this decree; and the Defendant is also ORDERED to pay unto T. Bryan McIntire, Esquire, Attorney for the Plaintiff, the sum of _____ as a counsel fee for his services rendered to the Plaintiff in this matter. And it is further ORDERED that the Defendant pay the costs of these proceedings as taxed by the Clerk of this Court.

E. J. Weant, Jr.
E. J. WEANT, JR., ASSOCIATE JUDGE

Filed - Aug 15, 1969

TERRY LEE COLE
Plaintiff
vs
SUE ANN COLE
Defendant

NO. 11659 EQUITY
IN THE
CIRCUIT COURT
FOR
CARROLL COUNTY

DECREE

This matter came on for hearing on August 15, 1969. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed. It is therefore this 19th day of August, 1969, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Terry Lee Cole, be, and he is hereby, divorced a vinculo matrimonii from the Defendant, Sue Ann Cole. And it is further ORDERED that the Plaintiff pay the costs of these proceedings as taxed by the Clerk of this Court.

E. J. Weant, Jr.
E. J. WEANT, JR., ASSOCIATE JUDGE

Filed - Aug. 19, 1969

ADA ELIZABETH HOBBS

Plaintiff

vs

CARL VINCENT HOBBS, SR.

Defendant

NO. 11627 EQUITY

IN THE

CIRCUIT COURT

FOR

CARROLL COUNTY

DECREE

This matter came on for hearing on August 8, 1969, a decree pro confesso having been taken against the Defendant who, although duly summoned and notified, neither answered nor appeared. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this *22nd* day of August, 1969, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Ada Elizabeth Hobbs, be, and she is hereby, divorced a vinculo matrimonii from the Defendant, Carl Vincent Hobbs, Sr. And it is further ADJUDGED, ORDERED AND DECREED that the Plaintiff be, and she is hereby, awarded the care and custody of the three infant children of the parties, namely, Lou Ann Hobbs (born October 11, 1960); Carl Vincent Hobbs, Jr. (born October 30, 1961); and Lisa Elizabeth Hobbs (born August 3, 1967); with the right and privilege reserved unto the Defendant to visit said children at reasonable times. And it is further ORDERED that the Defendant pay unto the Plaintiff the sum of *\$25.00* per week as alimony for her support and maintenance and the sum of *\$10.00* per week per child as support and maintenance for the infant children of the parties until each of said children respectively shall die, marry, reach the age of twenty-one years or become self-supporting, whichever shall first occur. The foregoing provisions of this decree with respect to custody, support and visitation of said children are and shall remain subject to the further order of

Filed - Aug 22, 1969

this Court. And it is further ORDERED that the Plaintiff pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

Helen L. Barnes : No. 11651 Equity.
 Plaintiff :
 vs. : In the
 : Circuit Court
 : for
 Charles N. Barnes :
 Defendant : Carroll County

DECREE

This matter coming on for hearing on bill of complaint for divorce a vinculo matrimonii on the ground of abandonment. The defendant having been duly served has failed to answer said bill of complaint within the time required by the rules of this Court. Therefore, a decree pro confesso was entered on July 23, 1969.

It is thereupon, this 29th day of August 1969, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED and DECREED, that the Plaintiff, Helen L. Barnes, be and she is hereby divorced a vinculo matrimonii from the Defendant, Charles N. Barnes.

It is further ADJUDGED, ORDERED and DECREED, that the defendant, Charles N. Barnes, pay to the plaintiff, Helen L. Barnes, the sum of \$ 20.00 per week per child toward the support, maintenance and welfare of Lynda L. Barnes and Charles J. Barnes, the minor children of the parties hereto, subject to the further order of this Court and it is further ORDERED that the defendant pay the costs of these proceedings as taxed by the Clerk of this Court.


 E. O. Weant Jr., Associate Judge

Filed - Aug 29, 1969

Arlene C. Zepp : No. 11634 Equity.
 Plaintiff :
 vs. : In the
 : Circuit Court
 : for
 Roger Lee Zepp :
 Defendant : Carroll County.

DECREE

This matter coming on for hearing on bill of complaint for divorce a vinculo matrimonii on the ground of adultery. The defendant having been duly served has failed to answer said bill of complaint within the time required by the rules of this Court. Therefore, a decree pro confesso was entered on June 25, 1969.

It is thereupon, this 2nd day of September 1969, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED and DECREED, that the Plaintiff, Arlene C. Zepp, be and she is hereby divorced a vinculo matrimonii from the Defendant, Roger Lee Zepp.

It is further ORDERED that the Defendant pay the costs of these proceedings as taxed by the Clerk of this Court.


 E. O. Weant Jr., Associate Judge

Filed - Sept. 2, 1969

CARROLL F. MILLER : NO. 11668 EQUITY
 Plaintiff : IN THE
 vs. : CIRCUIT COURT
 SHIRLEY H. MILLER : FOR
 Defendant : CARROLL COUNTY

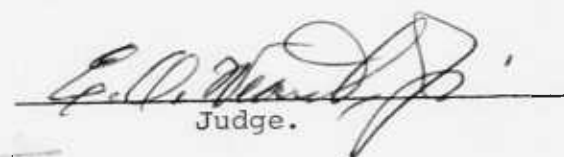
DECREE

The above matter having been heard in open Court and the Court being satisfied that there has been a voluntary separation between the parties hereto for more than eighteen months prior to the filing of the Bill of Complaint in this Cause;

It is thereupon this 5th day of September, 1969, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED and DECREED that the above named Plaintiff, CARROLL F. MILLER, be and he is hereby divorced from the Defendant, SHIRLEY H. MILLER, a vinculo matrimonii.

It is further ORDERED and DECREED that the terms of the separation agreement dated July 20, 1966, filed herein as Exhibit A, be and the same is hereby incorporated in to this Decree as a part hereof by reference.

It is further ORDERED AND DECREED that the Defendant, SHIRLEY H. MILLER be and she is authorized and permitted hereafter to resume the use of her maiden name of SHIRLEY L. HEINDEL.


 Judge.

205 2 5 1969

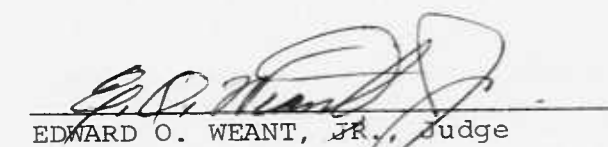
Filed - Sept 5, 1969

FERNE M. KLINE, *
 Plaintiff *
 vs. * IN THE
 * CIRCUIT COURT
 LAWRENCE E. KLINE, *
 Defendant. * FOR
 * CARROLL COUNTY

DECREE OF DIVORCE

The Bill of Complaint herein having been filed on July 1, 1969, the Defendant having been duly summoned and having failed to appear, the Plaintiff having secured a Decree Pro Confesso against Defendant on July 31, 1969, the said Bill of Complaint having come on for hearing, the Plaintiff having appeared together with corroborating witness offering testimony before this Court, counsel having been heard, it is this 5th day of September, 1969, by the Circuit Court for Carroll County, in Equity, ORDERED, ADJUDGED and DECREED that FERNE M. KLINE, Plaintiff, be and she is hereby divorced a vinculo matrimonii from LAWRENCE E. KLINE, Defendant.

And it is further ORDERED, ADJUDGED and DECREED that the Plaintiff pay the costs of these proceedings.


 EDWARD O. WEANT, JR., Judge

Filed - Sept 8, 1969

SHARON B. SHEPHERD	*	IN THE CIRCUIT COURT
Complainant		FOR CARROLL COUNTY
vs.	*	WESTMINSTER, MARYLAND
BARRIE D. SHEPHERD		EQUITY No. 11522
Respondent	*	

* * *

DECREE

This case coming on for hearing on August 29th, 1969, on Petition for newly discovered evidence in the above cause, and all parties having been heard, the proceedings were read and considered by this Court.

It is this 9th day of September, 1969, by the Circuit Court for Carroll County, Westminster, Maryland, sitting in Equity, ORDERED, that the Complainant, Sharon B. Shepherd, be and she is hereby DIVORCED A VINCULO MATRIMONII from the Respondent Barrie D. Shepherd.

It is further ORDERED, that the Complainant, Sharon B. Shepherd, shall have the care and custody of the parties infant child born as the result of the said marriage, namely, Dorian R. Shepherd, born September 1, 1967, and the Respondent, Barrie D. Shepherd is to pay to the Complainant the sum of \$20.00 per week for the maintenance and support of the said child, until the said child is twenty-one years of age or self supporting, which ever first shall occur, all subject to the further order of this Court.

And it is further ORDERED, that the Respondent Barrie D. Shepherd, pay the costs of these proceedings as taxed by the Clerk of this Court.

Filed - Sept. 9, 1969

EDWARD HARVEY LOWE	Ø	NO. 11531 EQUITY
Complainant	Ø	IN THE
-v-	Ø	CIRCUIT COURT
JOYCE ELAINE LOWE	Ø	FOR
Respondent	Ø	CARROLL COUNTY

OPINION AND DECREE

This matter comes before us in the form of a Bill of Complaint for Divorce a Vinculo Matrimonii filed on behalf of Edward Harvey Lowe, Complainant, alleging adultery on the part of Joyce Elaine Lowe, Respondent. The said Respondent has also filed a Cross Bill of Complaint for Divorce a Mensa et Thoro on the ground of desertion. Both parties are seeking custody of the two children born to the parties, namely, Edward Dwayne Lowe and Barry Lee Lowe.

A hearing was had and testimony taken on June 6, 1969. Thereafter, on June 10, 1969, the Court, having held the matter sub curia, requested a report from the Carroll County Department of Social Services on the home situations of Edward Harvey Lowe, Loyce Elaine Lowe, C. William Lowe, the paternal grandfather, and Nancy Webb, the maternal grandmother. This requested report was received September 11, 1969, from the Carroll County Department of Social Services.

As is invariably the case when adultery is to be proved, the parties must rely on circumstantial evidence. The elements thereof have been set forth by the Court of Appeals many times and most recently in the cases of Matakieff v. Matakieff, 246 Md. 23, at 31; and Laccetti v. Laccetti, 245 Md. 97, at 102, as follows:

Filed - Sept 15, 1969

"To prove adultery, the circumstantial evidence must clearly establish (1) a disposition on the part of the defendant and the paramour to commit adultery, and (2) an opportunity to commit the offense. After considering these and all other facts and circumstances in the case, the court then determines whether the evidence would convince an unprejudiced and cautious person of the guilt of the defendant."

In this case we have the Respondent, Joyce Elaine Lowe, parking at least once with a man, not her husband, late at night according to the testimony of detectives produced on behalf of the Complainant. Even if we chose not to believe this testimony we have other testimony to the effect that she had been seen in public holding hands with a male adult not her husband and also seen in her apartment with the same man on several occasions. On one occasion this man paid the rent on the Respondent's apartment and his automobile was seen parked outside of that apartment on many occasions. Although the Respondent denies having intercourse with this man, she admits keeping company with him on many occasions out of the company of her husband. In fact, she indicates that she does not intend to stop seeing him.

Under the circumstances brought out by the testimony in this case, we must conclude that a reasonable and just man would be convinced of misconduct on the part of the Respondent.

The question of custody of the children seems to be fairly well covered by the report of the Carroll County Department of Social Services, a copy of which is filed herewith. We find from this report that the parties have come to an agreement that the children should stay with the Respondent, and, since she appears now to be living with her mother and has not been declared unfit, we will award the custody of the children to the Respondent with the right of reasonable visitation on the part of the

Complainant.

We do not find that the Complainant abandoned or deserted the Respondent since we believe that he has ample justification for his action.

It is thereupon, this 15th day of September, 1969, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the Complainant, Edward Harvey Lowe, be, and he is hereby, divorced a vinculo matrimonii from the Respondent, Joyce Elaine Lowe. It is ORDERED that the prayer for divorce a mensa et thoro filed herein on behalf of the Respondent, Joyce Elaine Lowe, be, and the same is hereby, Denied.

It is further ADJUDGED, ORDERED and DECREED that the Respondent, Joyce Elaine Lowe, shall have the care and custody of the infant children born to the parties, namely, Edward Dwayne Lowe and Barry Lee Lowe, with the right and privilege on the part of Edward Harvey Lowe to visit said children at reasonable times and places, and that the Complainant, Edward Harvey Lowe, pay to the Respondent, Joyce Elaine Lowe, the sum of Fifteen Dollars (\$15.00) per week per child for the support of the said infant children, until they shall reach the age of twenty-one, die, marry, or become self-supporting.

It is further ORDERED that the Respondent, Joyce Elaine Lowe, pay the costs of these proceedings, as taxed by the Clerk of this Court.


Associate Judge.

THELMA C. BOSLEY Ø NO. 11612 EQUITY

Complainant Ø IN THE

-v- Ø CIRCUIT COURT

KENNETH B. BOSLEY Ø FOR

Respondent. Ø CARROLL COUNTY.

DECREE

This case coming on for hearing on September 5, 1969, following a Decree Pro Confesso, the Complainant and her witness having been heard, the proceedings were read and considered by the Court,

It is this 16th day of September, 1969, by the Circuit Court for Carroll County, Westminster, Maryland, sitting in Equity, ORDERED that the Complainant, Thelma C. Bosley, be, and she is hereby, DIVORCED A VINCULO MATRIMONII from the Respondent, Kenneth B. Bosley.

It is further ORDERED that the two children born as the result of the said marriage, namely, Robert Preston Bosley, born March 28, 1962, and Loretta Bosley, born June 19, 1966, are to remain in the care and custody of the Complainant, and that the Respondent be charged generally for their maintenance and support, until the said children are twenty-one years of age or self-supporting, whichever first shall occur.

And it is further ORDERED that the Respondent, Kenneth R. Bosley, pay the costs of these proceedings as taxed by the Clerk of this Court.

E. P. Hunt
Associate Judge.

7 ed - Sept 16, 1969

BETTY M. CARPENTER	Ø	NO. 11551 EQUITY
Plaintiff,	Ø	IN THE
-v-	Ø	CIRCUIT COURT
PAUL FREDERICK CARPENTER	Ø	FOR
Defendant.	Ø	CARROLL COUNTY

MEMORANDUM AND DECREE

The Plaintiff in this case, Betty M. Carpenter, has filed suit for divorce against the Defendant, Paul Frederick Carpenter, alleging voluntary separation as the grounds therefor. A Decree Pro Confesso was passed and a hearing had and testimony taken.

The proof showed that the parties separated on or about September 27, 1965, and that they have not lived together since that time. It further appears that there is no reasonable hope or expectation of reconciliation between the parties.

The Plaintiff is seeking support for the three children born of the marriage which said children are in her care and custody.

While the Plaintiff indicated that the Defendant was a foreman on construction and was making \$300.00 per week, subsequent information furnished to the Court seems to indicate that his regular income would not be nearly that high. However, we are convinced that he earns sufficient funds to pay the requested \$10.00 per week for the two younger children and \$15.00 per week for the oldest child, making a total of \$35.00 per week to be paid by the Defendant for the support of the children. The testimony showed that the Plaintiff is not in a position to offer any support for the children.

Julid - Sept 16, 1969

It is thereupon, this 16th day of September, 1969, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the Plaintiff, Betty M. Carpenter, be, and she is hereby, divorced a vinculo matrimonii from the Defendant, Paul Frederick Carpenter, and it is further ORDERED that she be awarded the care and custody of the three infant children of the parties, namely, Paul F. Carpenter, Jr., William Brian Carpenter and Robert Lee Carpenter. It is also ORDERED that the said Paul Frederick Carpenter pay to the said Betty M. Carpenter the sum of Fifteen Dollars (\$15.00) per week for the support, care and maintenance of Paul F. Carpenter, Jr. and the sum of Ten Dollars (\$10.00) per week each for the other two children until they reach the age of twenty-one (21) years, marry, die or become self-supporting, whichever event shall first occur.

It is further ORDERED that the Defendant, Paul Frederick Carpenter, pay the costs of these proceedings, as taxed by the Clerk of this Court.


Associate Judge.

VIOLA G. GREEN	:	NO. 11676 EQUITY
Complainant	:	IN THE
VS.	:	CIRCUIT COURT
JOHN A. GREEN	:	FOR
Respondent	:	CARROLL COUNTY

DECREE

The above cause standing ready for hearing, and having been heard and considered by the Court;

It is thereupon, this 18th day of September, 1969, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED, and DECREED that the above named Complainant, Viola G. Green, be and she is hereby divorced A VINCULO MATRIMONII from the Respondent, John A. Green.

And it is further ADJUDGED, ORDERED, and DECREED that the care and custody of the five minor children, namely, Sandra L. Green, Robin M. Green, Gail A. Green, Mark A. Green, and Karen M. Green, is hereby awarded to the Complainant, Viola G. Green, subject to reasonable visitation rights by the Respondent; David M. Green having become self-supporting since the filing of the Bill Of Complaint.

And it is further ADJUDGED, ORDERED, and DECREED that the Respondent, John A. Green, pay unto the Complainant for support of the said minor children, the sum of Forty (\$40.00) Dollars per week.

And it is further ORDERED and DECREED that the Respondent, John A. Green, pay the costs of these proceedings.


JUDGE

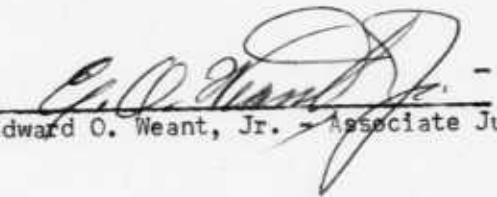
Filed - Sept 18, 1969

FRANCIS N. UTZ	*	IN THE
Plaintiff	*	CIRCUIT COURT
vs.	*	FOR
BETTY E. UTZ	*	CARROLL COUNTY
Defendant	*	WESTMINSTER, MARYLAND
	*	Equity No. 11699
* * *		

DECREE OF DIVORCE

The Bill of Complaint filed in the above proceedings having come on for hearing, Plaintiff having appeared together with corroborating witnesses offering testimony before this Court, and upon consideration of the testimony and evidence before this Court, it is this 15th day of September, 1969, by the Circuit Court for Carroll County, sitting as a Court in Equity, ORDERED, ADJUDGED AND DECREED that the said FRANCIS N. UTZ, Plaintiff, be, and he is hereby divorced a vinculo matrimonii from the said BETTY E. UTZ, Defendant.

And it is further ORDERED, ADJUDGED AND DECREED that the Plaintiff pay the costs of these proceedings as taxed by the Clerk of this Court.


Edward O. Weant, Jr. - Associate Judge

Filed - Sept 18, 1969

CATHERINE I. PIPER	0	NO. 11596 EQUITY
Plaintiff	0	IN THE
vs	0	CIRCUIT COURT
LEONARD L. PIPER	0	FOR
Defendant	0	CARROLL COUNTY

DECREE

This matter came on for hearing on July 25, 1969, a decree pro confesso having been taken against the Defendant who, although duly summoned, neither answered nor appeared. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is therefore this 15th day of September, 1969, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED and DECREED that the Plaintiff, Catherine I. Piper, be, and she is hereby, divorced a mensa et thoro from her husband, the Defendant, Leonard L. Piper. And it is hereby declared to be the duty of each of them to live chastely during their separation, and it will be criminal and an act void in law for either of them, during the life of the other, to contract marriage with any other person. And it is further ORDERED that the Plaintiff pay the costs of these proceedings as taxed by the Clerk of this Court.


E. O. WEANT, JR., ASSOCIATE JUDGE

Filed - Sept 18, 1969

HENRY H. HARBAUGH, V : NO. 11453 EQUITY
 Complainant : IN THE
 VS. : CIRCUIT COURT
 ELIZABETH R. HARBAUGH : FOR
 Respondent : CARROLL COUNTY

DECREE

The above cause standing ready for hearing, and having been heard and considered by the Court;

It is thereupon, this *24th* day of *Sept.*, 1969, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED, and DECREED that the above named Complainant, Henry H. Harbaugh, V, be and he is hereby divorced A VINCULO MATRIMONII from the Respondent, Elizabeth R. Harbaugh.

And it is further ADJUDGED, ORDERED, and DECREED that the care and custody of the minor children born of the marriage of the parties hereto, namely, Henry H. Harbaugh, VI, Richard W. Harbaugh, Margaret P. Harbaugh, Thomas L. Harbaugh, Timothy A. Harbaugh, and Susan E. Harbaugh, are hereby awarded to the Respondent, Elizabeth R. Harbaugh, with right of reasonable visitation to the Complainant, Henry H. Harbaugh, V.

And it is further ADJUDGED, ORDERED, and DECREED that the Complainant pay unto the Respondent, Elizabeth R. Harbaugh, the sum of Fifty Dollars (\$50.00) per week as support for the said minor children.

And it is further ORDERED and DECREED that the Complainant, Henry H. Harbaugh, V, pay the costs of these proceedings.

E. V. Weant, Jr.
 JUDGE

Filed- Sept 25, 1969

JACOB OLIVER LANG, JR.
 Route 1
 Manchester, Maryland

Plaintiff

vs

SUSAN ANN LANG
 Route 1
 Littlestown, Pennsylvania

Defendant

NO. 11700 EQUITY

IN THE

CIRCUIT COURT

FOR

CARROLL COUNTY

DECREE

This matter came on for hearing on September 18, 1969. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed. It is therefore this *25th* day of September, 1969, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff be, and he is hereby, divorced a vinculo matrimonii from the Defendant, Susan Ann Lang. And it is further ORDERED that the Plaintiff pay the costs of these proceedings as taxed by the Clerk of this Court.

E. V. Weant, Jr.
 E. V. WEANT, JR., ASSOCIATE JUDGE

Filed- Sept 26, 1969

RONALD A. RINGER, minor	*	IN THE
by Mildred Ringer, Mother	*	CIRCUIT COURT
and Next Friend	*	
Plaintiff	*	FOR
vs.	*	CARROLL COUNTY
SUZANNE E. RINGER	*	WESTMINSTER, MARYLAND
Defendant	*	Equity No. 11653
* * *		

DECREE OF DIVORCE

The Bill of Complaint filed in the above proceedings having come on for hearing, Plaintiff having appeared together with corroborating witnesses offering testimony before this Court, and upon consideration of the testimony and evidence before this Court, it is this 27th day of September, 1969, by the Circuit Court for Carroll County, sitting as a Court in Equity, ORDERED, ADJUDGED AND DECREED that the said RONALD A RINGER, Plaintiff, be, and he is hereby divorced a vinculo matrimonii from the said SUZANNE E. RINGER, Defendant.

And it is further ORDERED, ADJUDGED AND DECREED that the Plaintiff pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant, Jr.
Edward O. Weant, Jr. - Associate Judge

Filed Sept. 29, 1969

CURTIS LEE CULLISON	*	IN THE
Plaintiff	*	CIRCUIT COURT
vs.	*	FOR
FAITH MARIE CULLISON	*	CARROLL COUNTY
Defendant	*	WESTMINSTER, MARYLAND
	*	Equity No. 11657
* * *		

DECREE OF DIVORCE

The Bill of Complaint filed in the above proceedings having come on for hearing, Plaintiff having appeared together with corroborating witnesses offering testimony before this Court, and upon consideration of the testimony and evidence before this Court, it is this 29th day of September, 1969, by the Circuit Court for Carroll County, sitting as a Court in Equity, ORDERED, ADJUDGED AND DECREED that the said CURTIS LEE CULLISON, Plaintiff, be, and he is hereby divorced a vinculo matrimonii from the said FAITH MARIE CULLISON, Defendant.

And it is further ORDERED, ADJUDGED AND DECREED that the Plaintiff pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant, Jr.
Edward O. Weant, Jr. - Associate Judge

TRUE COPY TEST
Charles C. Conway CLERK

RONALD A. RINGER, minor	*	IN THE
by Mildred Ringer, Mother	*	CIRCUIT COURT
and Next Friend	*	
Plaintiff	*	FOR
vs.	*	CARROLL COUNTY
SUZANNE E. RINGER	*	WESTMINSTER, MARYLAND
Defendant	*	Equity No. 11653
* * *		

DECREE OF DIVORCE

The Bill of Complaint filed in the above proceedings having come on for hearing, Plaintiff having appeared together with corroborating witnesses offering testimony before this Court, and upon consideration of the testimony and evidence before this Court, it is this 29th day of September, 1969, by the Circuit Court for Carroll County, sitting as a Court in Equity, ORDERED, ADJUDGED AND DECREED that the said RONALD A. RINGER, Plaintiff, be, and he is hereby divorced a vinculo matrimonii from the said SUZANNE E. RINGER, Defendant.

And it is further ORDERED, ADJUDGED AND DECREED that the Plaintiff pay the costs of these proceedings as taxed by the Clerk of this Court.


Edward O. Weant, Jr. - Associate Judge

Filed - Sept. 29, 1969

CURTIS LEE CULLISON	*	IN THE
Plaintiff	*	CIRCUIT COURT
vs.	*	FOR
FAITH MARIE CULLISON	*	CARROLL COUNTY
Defendant	*	WESTMINSTER, MARYLAND
	*	Equity No. 11657
* * *		

DECREE OF DIVORCE

The Bill of Complaint filed in the above proceedings having come on for hearing, Plaintiff having appeared together with corroborating witnesses offering testimony before this Court, and upon consideration of the testimony and evidence before this Court, it is this 29th day of September, 1969, by the Circuit Court for Carroll County, sitting as a Court in Equity, ORDERED, ADJUDGED AND DECREED that the said CURTIS LEE CULLISON, Plaintiff, be, and he is hereby divorced a vinculo matrimonii from the said FAITH MARIE CULLISON, Defendant.

And it is further ORDERED, ADJUDGED AND DECREED that the Plaintiff pay the costs of these proceedings as taxed by the Clerk of this Court.


Edward O. Weant, Jr. - Associate Judge

Filed - Sept. 29, 1969

PHILIP C. WENTZ	Ø	NO. 11574 EQUITY
Plaintiff	Ø	IN THE
-v-	Ø	CIRCUIT COURT
CLAUDETTE SUSAN WENTZ	Ø	FOR
Defendant	Ø	CARROLL COUNTY

DECREE

This matter came on for hearing on July 25, 1969, both parties appearing with his and her respective counsel and a decree having this day been submitted to this Court. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed.

It is thereupon, this 14th day of October, 1969, by the Circuit Court for Carroll County, sitting in equity, ADJUDGED, ORDERED and DECREED that the Plaintiff, Philip C. Wentz, be, and he is hereby, divorced a vinculo matrimonii from the Defendant, Claudette Susan Wentz. And the Defendant is hereby permitted and authorized to resume her previous name, Claudette Susan Hurt. And the Plaintiff is Ordered to pay the costs of these proceedings, as taxed by the Clerk of this Court.

E. O. Hand
Associate Judge.

Filed Oct 14/1969

CHARLES HERBERT LONG	:	No. 11573 Equity
High Street	:	
New Windsor, Maryland	:	in the
Cross-Plaintiff	:	Circuit Court
vs	:	for
THELMA IRENE LONG	:	Carroll County
29 North Main Street	:	
Union Bridge, Maryland	:	
Cross-Defendant	:	

DECREE OF DIVORCE

This cause standing ready for hearing, testimony having been heard in open court, and being submitted,

It is thereupon, this 17th day of October, 1969, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the said Charles Herbert Long, the above-named Cross-Plaintiff, be and he is hereby divorced a vinculo matrimonii from the Cross-Defendant, Thelma Irene Long.

And it is further ORDERED that the Cross-Plaintiff, Charles Herbert Long, pay the costs of these proceedings.

E. O. Hand
Judge

Filed - Oct 17, 1969

MAURICE JAMES ROBERTSON : IN THE
R.D.#1 : CIRCUIT COURT
Westminster, Maryland :
Complainant, : FOR
vs. : CARROLL COUNTY
JEAN CAROL ROBERTSON : IN EQUITY
Apartment 9, 3rd Floor :
Baltimore and York Streets : No. 11172
Taneytown, Maryland :
Defendant. :

DECREE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

This cause was heard in Open Court. The Complainant and his Attorney were present. The Defendant was not present and was not represented by an Attorney. The proceedings and testimony were considered by the Court.

WHEREUPON IT IS ORDERED and decreed this 22nd day of October, 1969, by the Circuit Court for Carroll County, sitting in Equity, that the above named Plaintiff, Maurice James Robertson, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, the said Jean Carol Robertson; and

It is further adjudged, ordered and decreed that the Plaintiff, Maurice James Robertson, be and he is awarded the guardianship and custody of Norman Gene Robertson and Steven Douglas Robertson, infant children of the parties, with the right and privilege on the part of this Defendant to visit said children at reasonable times and hours, subject to the further order of the Honorable Court.

And it is Further Adjudged, Ordered and Decreed, that the Plaintiff, Maurice James Robertson, pay the costs of these proceedings.

E. O. Weller
Associate Judge

Filed - Oct. 22, 1969

WALTER LEE WELLER : NO. 11655 EQUITY
Plaintiff : IN THE
vs. : CIRCUIT COURT
BETTY JANE WELLER : FOR
Defendant : CARROLL COUNTY

DECREE

Testimony haveing been taken in open Court and the Court being satisfied that the parties hereto have been voluntarily separated and have lived separate and apart for more than ^{in this Cause} eighteen months prior to the filing of the Bill of Complaint/and without any reasonable expectation of reconciliation, it is this 24th day of October, 1969, by the Circuit Court for Carroll County, in Equity, ORDERED and DECREED that Walter Lee Weller, Plaintiff, be and he is hereby divorced a vinculo matrimonii from the Defendant, Betty Jane Weller, and it is further ORDERED and DECREED that the said Betty Jane Weller be awarded the custody of the two infant children of the parties hereto, namely Beverly Kaye Weller and Abbey Lynn Weller, subject to the further order of this Court, and it is further ORDERED and DECREED that the agreement of separation dated September 13, 1967, and the supplemental agreement dated April 21, 1969, both executed by the parties hereto and filed in this cause, are hereby incorporated into this decree and made a part hereto by reference.

E. O. Weller
Judge.

Filed - Oct 24, 1969

PAULA ANN EYLER, Infant by
FLORENCE M. WALKLING, her mother
and next friend,
Plaintiff

NO. 11633 EQUITY

IN THE

CIRCUIT COURT

FOR

VERNON LEROY EYLER

Defendant.

CARROLL COUNTY.

OPINION AND DECREE

The Plaintiff herein, Paula Ann Eyler, filed a Bill of Complaint for Divorce from the Defendant, Vernon Leroy Eyler. She also seeks permanent care and custody of the infant child of the parties, namely, Vernon Leroy Eyler, Jr., and support for the infant child. The Plaintiff relies on a voluntary separation agreement as the grounds for her divorce. The Defendant did not file an Answer and a Decree Pro Confesso was taken against him.

The Plaintiff proved, through her witnesses and a written separation agreement, that the parties had separated the requisite period of time to establish a divorce on the basis of voluntary separation.

The Plaintiff now has custody of the child and there does not appear to be any allegation or proof that she is unfit or has not been taking good care of the infant. We shall award custody to her. The Defendant has been paying \$10.00 per week for the support of the child and we will require that this payment be continued.

Although the Defendant did not contest the divorce, he did appear in Court and request visitation rights with the said Vernon Leroy Eyler, Jr. The Plaintiff resisted this request on the ground that whenever the father visited the child he came with a "bunch of boys" in his car whom she does not like. She claimed

that she was worried about the "characters" the defendant associated with. She also stated that he, the Defendant, had lost his license because of violation points which he had gotten for speeding and that she was concerned about his taking the child in his automobile.

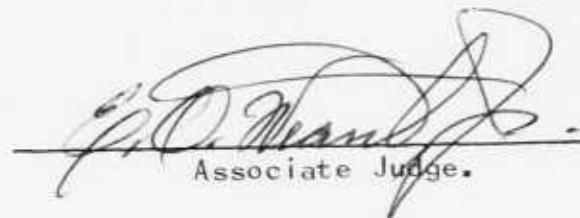
The Court, of course, can appreciate a mother's concern over the welfare of her infant. However, we can also appreciate the father's desire to have the child with him and away from his divorced spouse. Since the mother's fears appear to the Court to be more imaginary than actual, we cannot deny the father his natural right of being with the child and taking the infant with him from time to time. We will, therefore, grant the Defendant's request to take the child from the home of the mother on weekends but limit the time to every other Saturday from 9:00 A.M. to 5:00 P.M. We further direct that when the Defendant takes the child he be either alone or with close relatives of his and not with a bunch of the "boys".

It is thereupon, this 3rd day of November, 1969, by the Circuit Court for Carroll County, ADJUDGED, ORDERED and DECREED, that the Plaintiff, Paula Ann Eyler, be, and she is hereby, divorced a vinculo matrimonii from the Defendant, Vernon Leroy Eyler. It is also ORDERED that the said Plaintiff be granted the permanent care and custody of the infant child, Vernon Leroy Eyler, Jr., and that the Defendant pay unto the Plaintiff the sum of Ten Dollars (\$10.00) per week for the support and maintenance of said child, until he reaches the age of 21, dies or becomes self-supporting.

It is further ORDERED that the said Defendant shall have the right of reasonable visitation with the infant, Vernon Leroy Eyler, Jr., to include the right to take the said child from the home of the Plaintiff on every other Saturday from 9:00 A.M.

to 5:00 P.M. commencing on the second weekend from the date of this order, and subject to the limitations set forth in the attached opinion.

It is further ORDERED that the Plaintiff, Paula Ann Eyler, pay the costs of these proceedings, as taxed by the Clerk of this Court.


Associate Judge.

SHIRLEY V. YOUNKER	§	NO. 11654 EQUITY
Complainant,	§	IN THE
-v-	§	CIRCUIT COURT
ALVIN C. YOUNKER	§	FOR
Respondent.	§	CARROLL COUNTY

OPINION AND DECREE

The Complainant herein, Shirley V. Younker, has filed suit for divorce from Alvin C. Younker, Respondent, alleging voluntary separation based on a written agreement executed September 8, 1967. She also seeks the custody of one of the minor children born to the parties, namely, Laura M. Younker, and maintenance and support for said child. The suit was filed on June 13, 1969, and a Decree Pro Confesso taken against the Respondent on July 25, 1969, he having failed to file an Answer within the required time. An Answer was filed, however, on August 13, 1969. A hearing was had and testimony taken on October 31st, 1969.

The proof shows that the parties entered into what purports to be a separation agreement on September 8, 1967. This agreement contains the usual terms of such agreements along with the agreed arrangement of certain personal and property rights. It also provides that the Complainant should have the custody, guardianship and control of Laura M. Younker with reasonable visitation rights on the part of the Respondent. However, there was no provision for support to be paid by the Respondent on behalf of the said Laura M. Younker. The said agreement further provides that the said Alvin C. Younker shall become sole owner of the real estate owned by the parties and that the said Shirley

Filed - Nov 4, 1969

V. Younker should execute all of the necessary deeds, etc. to convey said property to the Respondent.

The Respondent, in his Answer, admits that the parties entered into said agreement and that they have lived separate and apart since that date. Nevertheless, he alleges that it has never been his intention to end the marriage and that there is great hope and expectation of reconciliation between the parties. He also maintains that he has made many offers and suggestions of reconciliation.

It occurs to the Court that we have a rather curious situation herein, one where the Complainant, who is relying on a separation agreement as being just that, had nothing to do with the preparation of same according to her testimony, and knew nothing about what was to be contained therein until she was taken to the attorney's office, who incidentally represented both parties, at which time she was informed of the contents. The Respondent, on the other hand, who denies that the agreement is a separation agreement for the purpose of ending the marriage relationship, alleges that the parties went together to the attorney's office, discussed the terms to be contained therein and returned to said office on a subsequent occasion after the agreement and necessary deeds had been prepared for the purpose of executing same.

It is the Court's opinion that the main source of contention between the parties was the inherent stinginess of the Respondent with the members of his family. In this regard, we point to the fact that although Laura Younker was to have been in the custody of her mother, the Respondent refused to support her and she was forced to return to live with the father because her mother did not have money to take care of the both of them. In

fact, the young girl indicates that she dropped out of school because she had only three dresses and was ashamed to be seen by her peers. While we are not convinced that this was the only reason for the dropout, it does appear to us that this was a consideration.

The Respondent argues that he felt his wife merely wanted to get away for a while to think things over and that the agreement was not a final one. The Court got the distinct impression that the Respondent signed the agreement on the grounds that he felt his wife could not support herself and that she would come back to live with him on his terms. We do not find that any of the offers of reconciliation went to the heart of the problem that brought about the separation. Certainly, if the Respondent entered into an agreement which he himself felt was not such as was expressed in the written instrument, it was of his own doing. We are convinced that his offers of reconciliation were nothing more than a request for his wife to come back to more of the same which had led to their separation in the first place. While it is argued that the Respondent does not have much education, we cannot think that he did not know what he was signing, particularly when he made the tentative arrangements and was to get all of the real estate. Further doubt is cast on the Respondent's alleged understanding of the agreement by the fact that the deeds necessary for this transfer were made out and executed by the parties at the same time as the agreement. They lacked only the recording which the proof shows was not accomplished because of the reticence of the Respondent to pay the necessary fees. In other words, we feel that this separation was to exist for such time as it took the wife to give in to the Respondent's demand to

V. Younker should execute all of the necessary deeds, etc. to convey said property to the Respondent.

The Respondent, in his Answer, admits that the parties entered into said agreement and that they have lived separate and apart since that date. Nevertheless, he alleges that it has never been his intention to end the marriage and that there is great hope and expectation of reconciliation between the parties. He also maintains that he has made many offers and suggestions of reconciliation.

It occurs to the Court that we have a rather curious situation herein, one where the Complainant, who is relying on a separation agreement as being just that, had nothing to do with the preparation of same according to her testimony, and knew nothing about what was to be contained therein until she was taken to the attorney's office, who incidentally represented both parties, at which time she was informed of the contents. The Respondent, on the other hand, who denies that the agreement is a separation agreement for the purpose of ending the marriage relationship, alleges that the parties went together to the attorney's office, discussed the terms to be contained therein and returned to said office on a subsequent occasion after the agreement and necessary deeds had been prepared for the purpose of executing same.

It is the Court's opinion that the main source of contention between the parties was the inherent stinginess of the Respondent with the members of his family. In this regard, we point to the fact that although Laura Younker was to have been in the custody of her mother, the Respondent refused to support her and she was forced to return to live with the father because her mother did not have money to take care of the both of them. In

fact, the young girl indicates that she dropped out of school because she had only three dresses and was ashamed to be seen by her peers. While we are not convinced that this was the only reason for the dropout, it does appear to us that this was a consideration.

The Respondent argues that he felt his wife merely wanted to get away for a while to think things over and that the agreement was not a final one. The Court got the distinct impression that the Respondent signed the agreement on the grounds that he felt his wife could not support herself and that she would come back to live with him on his terms. We do not find that any of the offers of reconciliation went to the heart of the problem that brought about the separation. Certainly, if the Respondent entered into an agreement which he himself felt was not such as was expressed in the written instrument, it was of his own doing. We are convinced that his offers of reconciliation were nothing more than a request for his wife to come back to more of the same which had led to their separation in the first place. While it is argued that the Respondent does not have much education, we cannot think that he did not know what he was signing, particularly when he made the tentative arrangements and was to get all of the real estate. Further doubt is cast on the Respondent's alleged understanding of the agreement by the fact that the deeds necessary for this transfer were made out and executed by the parties at the same time as the agreement. They lacked only the recording which the proof shows was not accomplished because of the reticence of the Respondent to pay the necessary fees. In other words, we feel that this separation was to exist for such time as it took the wife to give in to the Respondent's demand to

return on his terms whether it be for six weeks or six years.

Therefore, we cannot hold that the Complainant is not entitled to rely on this agreement and to seek her divorce based thereon. Since the proof shows that the parties have been living separate and apart for more than 18 months and since we are fully convinced that there is no reasonable expectation or hope of reconciliation between the parties, we shall grant the divorce.

The Complainant is also seeking custody of the eighteen year old daughter, Laura M. Younker. At the present time the mother does not appear to have adequate living quarters to establish a home for the child but, we urge, that she do so and with all dispatch. We urge this in light of the proof that the young girl had been habitually left alone by her father from 6:00 A.M. until his return at 4:30 P.M. at which hour she was usually gone from the residence. Since she does not work and does not attend school during the day, we can see only disaster in the continuance of such unsupervised living on the part of this child who, incidentally, looks rather young and immature for her age.

It is thereupon, this 4th day of November, 1969, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the said Shirley V. Younker be, and she is hereby, divorced a vinculo matrimonii from Alvin C. Younker. It is further ORDERED that the care and custody of the minor child, Laura M. Younker, be awarded to the said Shirley V. Younker and that the said Alvin C. Younker pay unto the said Shirley V. Younker, by way of support and maintenance for said child the sum of Sixteen Dollars (\$16.00) per week until said child reaches the age of 21, marries, dies, or becomes self-support, and further that Alvin C. Younker shall have the right of reasonable visitation with the

said Laura M. Younker.

It is further ORDERED that the Respondent, Alvin C. Younker, pay the costs of these proceedings, as taxed by the Clerk of this Court.

E. O. [Signature]
Associate Judge

Mary A. Lare	*	No. 11688	Equity
229 First Street	*		
Hampstead, Maryland 21074	*	In the Circuit Court for	
	*	Carroll County	
Plaintiff	*		
-vs-	*	Maryland	
	*		
G. Donald Lare	*		
326 Hawthorne Road	*		
Baltimore, Maryland	*		
	*		
Defendant	*		

* * * * *

D E C R E E

This cause standing ready for hearing, testimony having been heard in open Court, and the proceedings were by the Court read and considered.

It is thereupon, this 17th day of November, 1969, by the Circuit Court for Carroll County, in Equity, adjudged, ordered and decreed, that the said Mary A. Lare, the above named complainant be, and she is hereby, DIVORCED A VINCULO MATRIMONII from the Defendant, G. Donald Lare.

It is further ordered and decreed that the custody and guardianship of Margery Gene Lare and Thomas Hugh Lare, minor children of the parties hereto, be and the same is hereby awarded unto Mary A. Lare, Plaintiff, subject to the further order of this Court, with the right and privilege on the part of the Defendant to have reasonable visitation privileges with said children. It is further adjudged, ordered and decreed that the Defendant, G. Donald Lare, pay to the Plaintiff, accounting from the date hereof, the sum of Ten Dollars (\$10.00) per week, toward the support, maintenance and education of Thomas Hugh Lare, minor son of the parties hereto, subject to the further order of this Court.

In view of the testimony of the Plaintiff, Mary A. Lare

Filed - Nov 17, 1969

that she agreed to be and remain responsible for the support, maintenance and education of Margery Gene Lare, minor daughter of the parties hereto, the said G. Donald Lare is not, by this Decree, required to make payments for the support, maintenance and education of said minor daughter.

It is further ordered and decreed that the terms of the separation and property settlement agreement entered into between the parties hereto and dated April 26, 1969, except as to any portion or portions thereof inconsistent with the provisions of this decree shall be and the same is hereby approved and made a part of this decree without incorporating the entire provisions of the agreement in this decree.

And it is further ordered that the said G. Donald Lare, Defendant, pay the costs of the proceedings.

E. O. Weant, Jr.
E. O. Weant, Jr., Judge

BETTY JAY HARLOW	Ø	NO. 11683 EQUITY
Plaintiff	Ø	IN THE
-v-	Ø	CIRCUIT COURT
VERTON O. HARLOW	Ø	FOR
Defendant	Ø	CARROLL COUNTY

OPINION AND DECREE

The Bill of Complaint for Divorce filed herein alleges that the Plaintiff, Betty Jay Harlow, and the Defendant, Overton O. Harlow, had voluntarily agreed to live separate and apart and, in fact, had done so for more than 18 months prior to the filing of said Bill. In addition to seeking a divorce a vinculo matrimonii, the Plaintiff prays that she may have the custody of the minor child born to the parties, namely, Deborah Ann Harlow, aged 8, and money for the support and maintenance of said minor child.

The Defendant answered the Bill of Complaint and admitted the voluntary separation but resisted the request of the Plaintiff for the custody of the child on the ground that the Plaintiff was not fit and proper to take care of the child "having, among other things, committed adultery". The Defendant, in turn, seeks the care and custody of said child.

At the hearing a separation agreement, dated January 10, 1969, was introduced. It had been executed by both of the parties. It recites that the parties have lived separate and apart since February 3rd, 1968, being more than 18 months prior to the filing of the Bill of Complaint which was September 8, 1969. The fact that the parties have lived separate and apart was corroborated by several witnesses.

Filed- Dec. 3, 1969

On the other hand, we do not find that the Defendant has met the burden of proving that the Plaintiff has committed adultery or that she is unfit for any other reason to have the care and custody of the child. It appears to the Court from the testimony adduced at the hearing that the Plaintiff is fit to take care of the child and that she has the proper facilities to do this successfully.

There does seem to be some friction which has arisen between the Plaintiff and the Defendant concerning visitation rights. We trust that the parties will be able to work this matter out amicably and that we will not be obliged to set forth specific hours of visitation for the Defendant. It seems that the hours for visitation available to him are rather uncertain. However, if called upon to do so, we will set up a rigid schedule. In the meantime, we feel that the Defendant should have the right of reasonable visitation with the said Deborah Ann Harlow, both at and away from the residence of the Plaintiff.

Since the separation agreement has set forth a figure of Ten Dollars (\$10.00) a week support to be paid by Overton O. Harlow to Betty Jay Harlow for the support of the infant child, we will not change this figure at this time.

It is thereupon, this 3rd day of December, 1969, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that Betty Jay Harlow be, and she is hereby, divorced a vinculo matrimonii from the Defendant, Overton O. Harlow. It is further ORDERED that the said Betty Jay Harlow be, and she is hereby, awarded the care and custody of Deborah Ann Harlow, the minor child born to the parties, and that the said Overton O. Harlow pay unto the said Betty Jay Harlow the sum of Ten Dollars

(\$10.00) per week for the support and maintenance of said minor child until she reaches the age of twenty-one years, marries, dies, or becomes self-supporting, whichever event shall first occur. It is also ORDERED that the said Overton O. Harlow shall have the right of reasonable visitation with the said Deborah Ann Harlow, both at and away from the residence of the said Betty Jay Harlow.

It is further ORDERED that the Plaintiff, Betty Jay Harlow, and the Defendant, Overton O. Harlow, pay the costs of these proceedings, as taxed by the Clerk of this Court.

E. D. Wendt
Associate Judge.

ALICE P. MILLIGAN	Ø	NO. 11693 EQUITY
Plaintiff,	Ø	IN THE
-v-	Ø	CIRCUIT COURT
ROBERT M. MILLIGAN	Ø	FOR
Defendant.	Ø	CARROLL COUNTY

OPINION AND DECREE

A Bill of Complaint filed herein on behalf of Alice P. Milligan, Plaintiff, seeks a divorce a mensa et thoro from Robert M. Milligan, Defendant, on the ground of cruelty or constructive desertion. The Plaintiff also seeks the guardianship and custody of Dennis E. Milligan, Donald E. Milligan and William C. Milligan, the infant children of the parties hereto. In addition she seeks permanent alimony and a sum of money for the support and maintenance of the infant children.

The proof shows that the parties have been living in separate bedrooms since May 28th, 1969, and that the last time they had marital relations was in April of 1969. It further shows that during the course of their marriage the Defendant has from time to time slapped his wife and that he spends a great deal of time yelling, hollering, cussing and calling her names. On at least one occasion the physical violence of the Defendant against the Plaintiff caused the Plaintiff to visit a doctor. Although the Defendant denies slapping his wife in recent years, he does admit that he has pushed and shoved her since this divorce action was instituted. We have the uncontradicted testimony that on the morning of the hearing he dumped paper on the floor for little or no reason except, perhaps, to have his wife clean it up. In addition, he has informed his wife that he would like to have a

Filed - Dec 4, 1969

receipt for the groceries with no apparent cause. He admits to having a bad temper which is, in our opinion, an understatement. He says that he would like to become reconciled with his wife but on the proviso that she would do the things that he required of her.

While there could be some question that there is sufficient grounds for divorce on the basis of cruelty, we cannot conceive that there is any question that his acts are responsible for the separation so as to justify a divorce on the ground of constructive desertion.

There is apparently no evidence or allegation that the wife is unfit to take care of the children and we will grant her the care and custody of them with the right of reasonable visitation on the part of the Defendant. Considering the support and alimony to be paid to the Plaintiff by the Defendant, we find that he has a net weekly income of \$163.35 and she a net weekly income of \$67.27. With this and the information which we have concerning the expenses of both parties, as well as the ages of the children in question, we feel an award of \$20.00 per week per child for support and maintenance of the children and \$10.00 per week alimony to the Plaintiff would be justified.

It is thereupon, this 4th day of December, 1969, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that Alice P. Milligan, Plaintiff, be, and she is hereby, divorced a mensa et thoro from the Defendant, Robert M. Milligan. It is further ORDERED that the care and custody of Dennis E. Milligan, Donald E. Milligan and William C. Milligan be, and the same is hereby, awarded to Alice P. Milligan. It is further ORDERED that the said Robert M. Milligan pay unto the said Alice P. Milligan the sum of Ten Dollars(\$10.00) per week as

permanent alimony and the sum of Twenty Dollars (\$20.00) per week per child for the support and maintenance of the said children born to the parties, making a total of Seventy Dollars (\$70.00) per week to be paid by the said Robert M. Milligan to the said Alice P. Milligan. It is further ORDERED that the said Robert M. Milligan be allowed the right of reasonable visitation with the said children of the parties.

It is further ORDERED that the Defendant, Robert M. Milligan, pay the costs of these proceedings, as taxed by the Clerk of this Court.

E. P. Ward
Associate Judge.

ALICE P. MILLIGAN	Ø	NO. 11693 EQUITY
Plaintiff	Ø	IN THE
-v-	Ø	CIRCUIT COURT
ROBERT M. MILLIGAN	Ø	FOR
Defendant.	Ø	CARROLL COUNTY

ORDER

This Court having neglected to consider the Plaintiff's prayer for Solicitor's fee in its Order of the 4th day of December, 1969,

It is this 5th day of December, 1969, by the Circuit Court for Carroll County, in Equity, ORDERED that said Order of the 4th day of December, 1969, be, and the same is hereby, amended so as to provide for the payment of One Hundred Dollars (\$100.00) by the Defendant, Robert M. Milligan, to Robert K. Parker, Esquire, Attorney for the Plaintiff for services rendered therein.

E. C. Ward, Jr.
Associate Judge.

Filed - Dec. 5, 1969

GLORIA ANN HENSON	Ø	NO. 11731 EQUITY
Plaintiff	Ø	IN THE
-v-	Ø	CIRCUIT COURT
MARK ALLEN HENSON, SR.	Ø	FOR
Defendant.	Ø	CARROLL COUNTY

ORDER

This Court having received the attached letter from the State's Attorney for Howard County wherein it is suggested that support payments be made through that office instead of through the Clerk of the Circuit Court for Carroll County, as provided by order of this Court dated November 28, 1969, and filed herein,

It is this 30th day of December, 1969, by the Circuit Court for Carroll County, in Equity, ORDERED that the decree of this Court dated November 28, 1969, in this cause be, and the same is hereby, amended so as to provide that the support payments set forth therein be paid unto the office of the State's Attorney for Howard County for forwarding to the Plaintiff, Gloria Ann Henson.

E. C. Ward, Jr.
Associate Judge.

Filed Dec 30, 1969

ALICE P. MILLIGAN	§	NO. 11693 EQUITY
Plaintiff	§	IN THE
-v-	§	CIRCUIT COURT
ROBERT M. MILLIGAN	§	FOR
Defendant.	§	CARROLL COUNTY

ORDER

This Court having neglected to consider the Plaintiff's prayer for Solicitor's fee in its Order of the 4th day of December, 1969,

It is this 5th day of December, 1969, by the Circuit Court for Carroll County, in Equity, ORDERED that said Order of the 4th day of December, 1969, be, and the same is hereby, amended so as to provide for the payment of One Hundred Dollars (\$100.00) by the Defendant, Robert M. Milligan, to Robert K. Parker, Esquire, Attorney for the Plaintiff for services rendered therein.

E. O. Ward Jr.
Associate Judge.

Filed - Dec. 5, 1969

GLORIA ANN HENSON	:	No. 11731 Equity
Plaintiff	:	In the
vs	:	Circuit Court
MARK ALLEN HENSON, SR.	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff and Defendant, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 28th day of November, Nineteen Hundred and Sixty-nine, that the above named Plaintiff, Gloria Ann Henson, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, the said Mark Allen Henson, Sr.; and

It is further ADJUDGED, ORDERED AND DECREED that the guardianship and custody of Mark Allen Henson, Jr. and Christian Burgess Henson, infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Gloria Ann Henson, with the right unto the Defendant, Mark Allen Henson, Sr., to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Mark Allen Henson, Sr., pay unto the Clerk of the Circuit Court for Carroll County for forwarding to the Plaintiff, Gloria Ann Henson, the sum of \$15.00 per week per child, for a total of \$30.00 per week, for their support; subject to the further Orders of this Court; and

And it is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Gloria Ann Henson, pay the cost of these proceedings.

E. O. Ward Jr.
Judge


Filed - Dec 10, 1969

GLORIA ANN HENSON	Ø	NO. 11731 EQUITY
Plaintiff	Ø	IN THE
-v-	Ø	CIRCUIT COURT
MARK ALLEN HENSON, SR.	Ø	FOR
Defendant.	Ø	CARROLL COUNTY

ORDER

This Court having received the attached letter from the State's Attorney for Howard County wherein it is suggested that support payments be made through that office instead of through the Clerk of the Circuit Court for Carroll County, as provided by order of this Court dated November 28, 1969, and filed herein,

It is this 30th day of December, 1969, by the Circuit Court for Carroll County, in Equity, ORDERED that the decree of this Court dated November 28, 1969, in this cause be, and the same is hereby, amended so as to provide that the support payments set forth therein be paid unto the office of the State's Attorney for Howard County for forwarding to the Plaintiff, Gloria Ann Henson.


Associate Judge.

Filed Dec 30, 1969

WAYNE ROYER STALEY	:	No. 11341 Equity
Plaintiff	:	In the
vs	:	Circuit Court
LINDA MARIE STALEY	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 28th day of November, Nineteen Hundred and Sixty-nine, that the above named Plaintiff, Wayne Royer Staley, be and he is hereby divorced "A VINCULO MATRIMONII" from the defendant, the said Linda Marie Staley; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Wayne Royer Staley, pay the cost of these proceedings.


Judge

Filed - Dec 9, 1969

JOHN W. BILLETT, JR.	:	No. 11702 Equity
Plaintiff	:	In the
vs	:	Circuit Court
ROSEANNE BILLETT	:	for
Defendant	:	Carroll County

DECREE

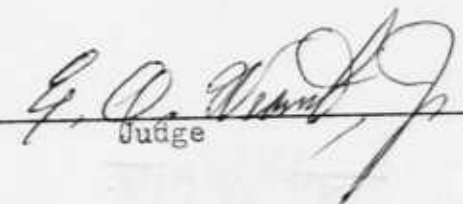
This cause standing ready for hearing and being submitted by the Plaintiff and Defendant, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 28th day of November, Nineteen Hundred and Sixty-nine, that the above named Plaintiff, John W. Billett, Jr., be and he is hereby divorced "A VINCULO MATRIMONII" from the defendant, the said Roseanne Billett; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Barbara Billett, Janet Lynn Billett, and Eve Rose Billett, infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, John W. Billett, Jr., with the right unto the Defendant, Roseanne Billett, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the pertinent terms of the agreement by and between the parties hereto dated October 16, 1969, and filed in this cause of action, be and they are hereby approved and made a part hereof as if fully set forth herein;

And it further ADJUDGED, ORDERED and DECREED that the Plaintiff, John W. Billett, Jr., pay the cost of these proceedings.


Judge

Filed - Dec 9, 1969

BETTY D. ERB : No. 11681 Equity
 Plaintiff : In the
 vs : Circuit Court
 GEORGE LEWIS ERB : for
 Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 29th day of November, Nineteen Hundred and Sixty-nine, that the above named Plaintiff, Betty D. Erb, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, the said George Lewis Erb; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Jeffry L. Erb, Michelle L. Erb, and Teresa Lynn Erb, infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Betty D. Erb, with the right unto the Defendant, George Lewis Erb, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, George Lewis Erb, pay direct unto the Plaintiff, Betty D. Erb, the sum of \$10.00 per week per child, for a total of \$30.00 per week, for their support; subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the pertinent terms of the agreement by and between the parties hereto dated January 25, 1968, and filed in this cause of action, be and they are hereby approved and made a part hereof as if fully set forth herein;

And it is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Betty D. Erb, pay the cost of these proceedings.


 Judge

Filed - Dec 9, 1969

NANCY V. DEGROFT : NO. 11454 EQUITY
 Complainant : IN THE
 VS. : CIRCUIT COURT
 TERRY L. DEGROFT : FOR
 Respondent : CARROLL COUNTY

DECREE

The above cause standing ready for hearing, and having been heard and considered by the Court;

It is thereupon, this 12th day of December, 1969, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED, and DECREED that the above named Complainant, Nancy V. DeGroft, be and she is hereby divorced A VINCULO MATRIMONII from the Respondent, Terry L. DeGroft.

And it is further ADJUDGED, ORDERED, and DECREED that the care and custody of the minor children born of the marriage of the parties hereto, namely, Shelia M. DeGroft and Gregory A. DeGroft, are hereby awarded to the Complainant, Nancy V. DeGroft, with right of reasonable visitation to the Respondent, Terry L. DeGroft.

And it is further ORDERED and DECREED that the Stipulation of the parties hereto, dated September 4, 1968, be hereby incorporated into the Decree of this Court in its entirety.

And it is further ORDERED and DECREED that the Respondent, Terry L. DeGroft, pay the costs of these proceedings.


 JUDGE

Filed - Dec 12, 1969

EARL A. J. WAREHIME, JR.	:	No. 11737 Equity
Plaintiff	:	in the
vs	:	Circuit Court
BETTY SEAKS WAREHIME	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 16th day of Dec., Nineteen Hundred and Sixty-nine, that the above-named Plaintiff Earl A. J. Warehime, Jr., be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Betty Seaks Warehime; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Troy Allen Warehime, infant child of the parties hereto, be and it is hereby awarded unto the Defendant, Betty Seaks Warehime, with the right unto the Plaintiff, Earl A. J. Warehime, Jr., to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Earl A. J. Warehime, Jr., pay direct unto the Defendant, Betty Seaks Warehime, the sum of \$25.00 per week for support of the child; subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the pertinent terms of the Agreement by and between the parties hereto, dated August 6, 1969, and filed in this cause of action, be and they are hereby approved and made a part hereof as if fully set forth herein;

And it is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Earl A. J. Warehime, Jr., pay the cost of these proceedings.

[Signature]
Judge
Filed - Dec. 16, 1969

PATRICK T. BRAGG	:	No. 11686 Equity
Plaintiff	:	in the
vs	:	Circuit Court
MARY ANN BRAGG	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 16th day of Dec., Nineteen Hundred and Sixty-nine, that the above-named Plaintiff, Patrick T. Bragg, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, the said Mary Ann Bragg; and

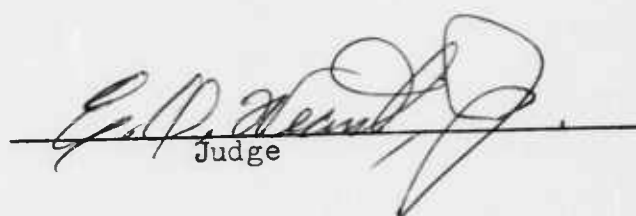
It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Richard Louis Bragg, one of the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Patrick T. Bragg, with the right of the Defendant, Mary Ann Bragg, to visit said child at reasonable times and under proper circumstances; and that the guardianship and custody of Patrick Thomas Bragg, Jr. and Harry Bradford Bragg, the other two infant children of the parties hereto, be and it is hereby awarded unto the Defendant, Mary Ann Bragg, with the right unto the Plaintiff, Patrick T. Bragg, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court;

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Patrick T. Bragg, pay direct unto the Defendant, Mary Ann Bragg, support for the children pursuant to Paragraph No. 4 of the Separation Agreement between the parties hereto dated December 18, 1967, and alimony pursuant to Paragraph No. 6 of said Agreement.

Filed - Dec. 16, 1969

It is further ADJUDGED, ORDERED and DECREED that the pertinent terms of the agreement by and between the parties hereto dated December 18, 1967, and filed in this cause of action, be and they are hereby approved and made a part hereof as if fully set forth herein; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Patrick T. Bragg, pay the cost of these proceedings.


Judge

JOAN MARIE REESE	:	No. 11721 Equity
Plaintiff	:	in the
vs	:	Circuit Court
THOMAS CARROLL REESE	:	for
Defendant	:	Carroll County

DECREE

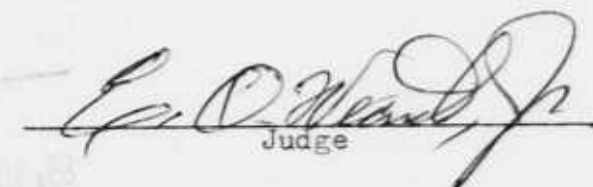
This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 16th day of Dec., Nineteen Hundred and Sixty-nine, that the above-named Plaintiff, Joan Marie Reese, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, the said Thomas Carroll Reese; and

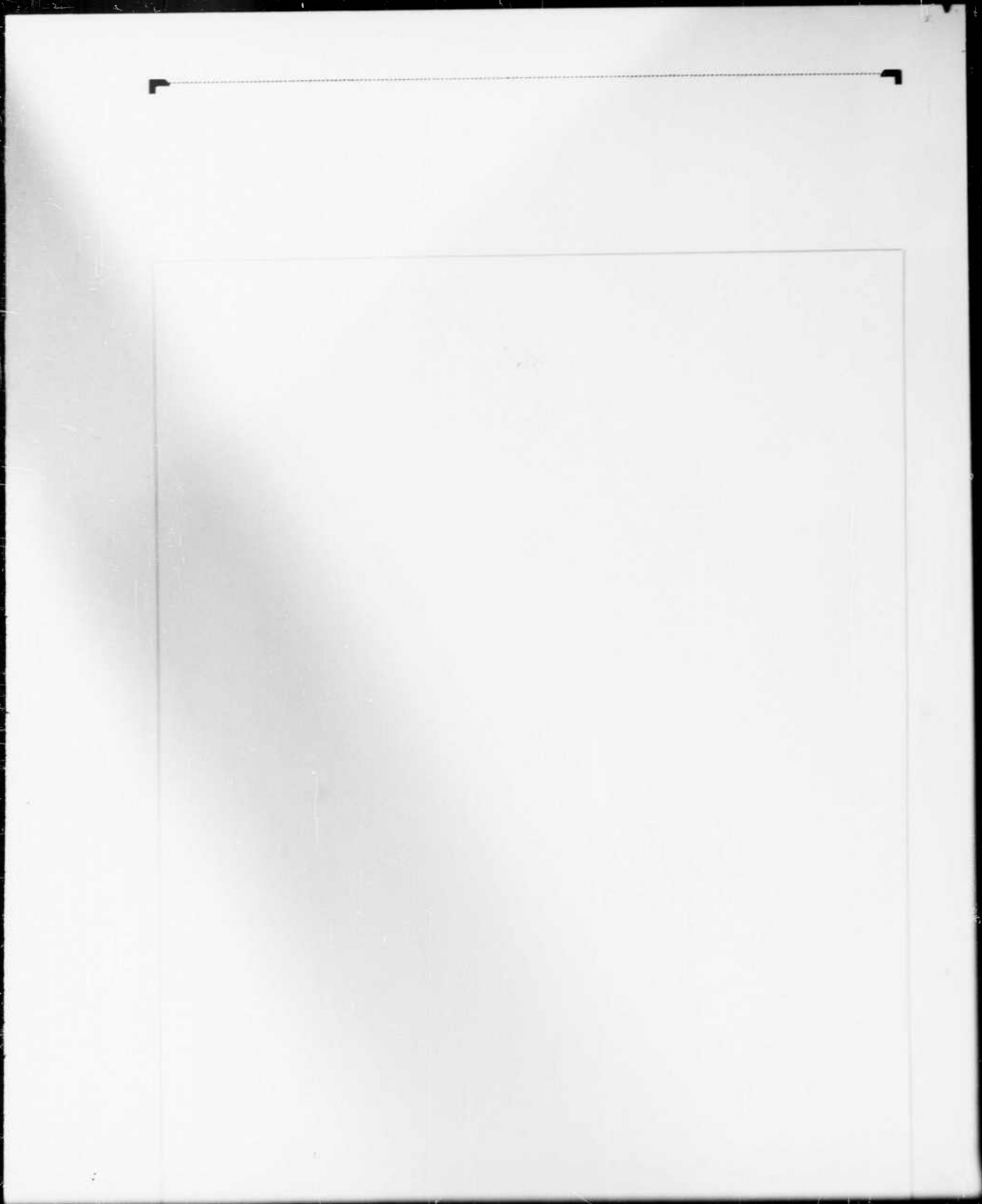
It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of David Thomas Reese and Darryl Scott Reese, infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Joan Marie Reese, with the right unto the Defendant, Thomas Carroll Reese, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Thomas Carroll Reese, pay direct unto the Plaintiff, Joan Marie Reese, the sum of \$15.00 per week per child, for a total of \$30.00 per week, for their support; subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Joan Marie Reese, pay the cost of these proceedings.


Judge

Filed- Dec. 16, 1969





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WILLIAM L. DOVELL	:	No. 11705 Equity
Plaintiff	:	in the
vs	:	Circuit Court
BETTY ILENE DOVELL	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

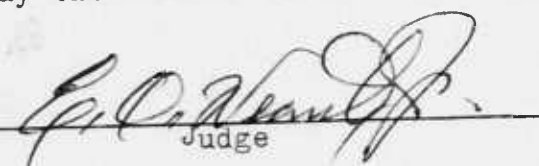
WHEREUPON IT IS ORDERED this 16th day of Dec., Nineteen Hundred and Sixty-nine, that the above-named Plaintiff, William L. Dovell, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, the said Betty Ilene Dovell; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Celesa Ellen Dovell, the infant child of the parties hereto, be and it is hereby awarded unto the Defendant, Betty Ilene Dovell, with the right unto the Plaintiff, William L. Dovell, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, William L. Dovell, pay direct unto the Defendant, Betty Ilene Dovell, the sum of \$35.00 per week for the support of the child; subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the pertinent terms of the Agreement by and between the parties hereto, dated March 23, 1967, and filed in this cause of action, be and they are hereby approved and made a part hereof as if fully set forth herein;

And it is further ADJUDGED, ORDERED and DECREED that the Plaintiff, William L. Dovell, pay the cost of these proceedings.


Judge

Filed- Dec. 16, 1969

LINDA LOU HARRISON	:	No. 11678 Equity
Plaintiff	:	in the
vs	:	Circuit Court
RICHARD GROVER HARRISON	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 16th day of Dec., Nineteen Hundred and Sixty-nine, that the above-named Plaintiff, Linda Lou Harrison, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, the said Richard Grover Harrison; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Georgeann Wilma Harrison, infant child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Linda Lou Harrison, with the right unto the Defendant, Richard Grover Harrison, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Linda Lou Harrison, pay the cost of these proceedings.


Judge

Filed- Dec. 16, 1969

ALICE M. DORM	*	IN THE
	*	
Plaintiff	*	CIRCUIT COURT
	*	
vs.	*	FOR
	*	
CLARENCE E. DORM	*	CARROLL COUNTY
	*	
Defendant	*	Equity No. _____

DECREE OF DIVORCE

The Bill of Complaint herein having been filed on August 28, 1969, the Defendant having been duly summoned and having filed his Answer, the said Bill and Answer having come on for hearing, the Plaintiff having appeared with corroborating witness, and Defendant having appeared, counsel for both parties having been heard, it is this 18th day of December, 1969, by the Circuit Court for Carroll County, in Equity, ORDERED, ADJUDGED and DECREED that the said ALICE M. DORM, the above named Plaintiff, be and she is hereby divorced a vinculo matrimonii from the Defendant, CLARENCE E. DORM;

And it is further ORDERED, ADJUDGED and DECREED that the guardianship and custody of the infant children of the parties, namely, Alicia Marie Dorm, Diana Sharon Dorm and Denisa Kay Dorm, be and the same is hereby awarded to the Plaintiff, Alice M. Dorm, with the right to the Defendant of visitation with said children at reasonable times, subject to further order of this Court;

And it is further ORDERED, ADJUDGED and DECREED that Defendant, Clarence E. Dorm, pay unto Plaintiff, Alice M. Dorm, the sum of Forty Dollars (\$40.00) Dollars per week for support and maintenance of the infant children of the parties; that Defendant, Clarence E. Dorm, shall pay unto the State of Maryland such amount or amounts as may be required to be paid by the parties from time to time for support of their child, Alan S. Dorm, who is now at Rosewood State Hospital; and that any award of alimony to Plaintiff, Alice M. Dorm, be reserved, all subject to further order of this Court;

Filed Dec 19, 1969

And it is further ORDERED, ADJUDGED and DECREED that Defendant, Clarence E. Dorm, pay unto William B. Dulany, as counsel for Plaintiff, Alice M. Dorm, the sum of \$ 100.00 as counsel fee for his services rendered Plaintiff in these proceedings;

And it is further ORDERED, ADJUDGED and DECREED that the Defendant pay the costs of these proceedings.

E. O. Weant, Jr.
E. O. WEANT, JR., Judge

ANITRA F. GOSNELL	:	No. 11735 Equity
Plaintiff	:	in the
vs	:	Circuit Court
IRVING B. GOSNELL	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 19th day of Dec., Nineteen Hundred and Sixty-nine, that the above-named Plaintiff, Anita F. Gosnell, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Irving B. Gosnell; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Anita F. Gosnell, pay the cost of these proceedings.

E. O. Ward Jr.
Judge

Filed Dec 19, 1969

ALICE V. BULL	:	No. 11722 Equity
Plaintiff	:	in the
vs	:	Circuit Court
HERMAN L. BULL	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 19th day of Dec., Nineteen Hundred and Sixty-nine, that the above-named Plaintiff, Alice V. Bull, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, the said Herman L. Bull; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Lynda Darlene Bull and Pamela Louise Bull, two of the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Alice V. Bull, with the right of the Defendant, Herman L. Bull, to visit said children at reasonable times and under proper circumstances; and that the guardianship and custody of Ronoda Annette Bull, the other infant child of the parties hereto, be and it is hereby awarded unto the Defendant, Herman L. Bull, with the right unto the Plaintiff, Alice V. Bull, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Herman L. Bull, pay direct unto the Plaintiff, Alice V. Bull, the sum of \$20.00 per week per child for a total of \$40.00 per week towards their support, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Alice V. Bull, pay one-half the cost of these proceedings, and the Defendant, Herman L. Bull, pay the remaining one-half thereof.

Filed Dec 19, 1969

E. O. Ward Jr.
Judge

THELMA S. THOMAS	:	No. 11719 Equity
Plaintiff	:	in the
vs	:	Circuit Court
DONALD R. THOMAS	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 19th day of Dec., Nineteen Hundred and Sixty-nine, that the above-named Plaintiff, Thelma S. Thomas, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Donald R. Thomas; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Donald Ray Thomas, Jr., Scott Curtis Thomas and Kim Renee Thomas, the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Thelma S. Thomas, with the right unto the Defendant, Donald R. Thomas, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Donald R. Thomas, pay direct unto the Plaintiff, Thelma S. Thomas, the sum of \$10.00 per week per child, for a total of \$30.00 per week, towards their support, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Thelma S. Thomas, pay the cost of these proceedings.

G. O. Ward
Judge

Filed Dec 19, 1969

NANCY SENTZ	:	No. 11677 Equity
Plaintiff	:	in the
vs	:	Circuit Court
ROBERT FRANCIS SENTZ	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 19th day of Dec., Nineteen Hundred and Sixty-nine, that the above-named Plaintiff, Nancy Sentz, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Robert Francis Sentz; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Levonna Sentz, Robert Francis Sentz, Jr. and Brooks G. Sentz, the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Nancy Sentz, with the right unto the Defendant, Robert Francis Sentz, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Robert Francis Sentz, pay direct unto the Plaintiff, Nancy Sentz, the sum of \$6.00 per week per child, for a total of \$18.00 per week, towards their support; subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Nancy Sentz, pay the cost of these proceedings.

G. O. Ward
Judge

Filed Dec 19, 1969

MARY LOUISE YELTON, Infant, &C.	:	No. 11689 Equity
Plaintiff	:	In the
vs	:	Circuit Court
J. L. YELTON	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 30th day of December, Nineteen Hundred and Sixty-nine, that the above-named Plaintiff, Mary Louise Yelton, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, J. L. Yelton; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Lisa Louise Yelton, the infant child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Mary Louise Yelton, with the right unto the Defendant, J. L. Yelton, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, J. L. Yelton, pay direct unto the Plaintiff, Mary Louise Yelton, the sum of \$15.00 per week toward the support of the child, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Mary Louise Yelton, pay the cost of these proceedings.

E. C. Hunt, Jr.
Judge

CATHERINE A. CRIGGER	:	No. 11741 Equity
Plaintiff	:	in the
vs	:	Circuit Court
JOHN R. CRIGGER	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 30th day of December, Nineteen Hundred and Sixty-nine, that the above-named Plaintiff, Catherine A. Crigger, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, John R. Crigger; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Debra A. Crigger, the infant child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Catherine A. Crigger, with the right unto the Defendant, John R. Crigger, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, John R. Crigger, pay direct unto the Plaintiff, Catherine A. Crigger, the sum of \$20.00 per week toward the support of the child, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Catherine A. Crigger, pay the cost of these proceedings.

E. C. Hunt, Jr.
Judge

Filed Dec 30, 1969

EVELYN M. PACKARD	Ø	NO. 11675 EQUITY
Plaintiff	Ø	IN THE
-v-	Ø	CIRCUIT COURT
JOHN E. PACKARD	Ø	FOR
Defendant.	Ø	CARROLL COUNTY.

OPINION AND DECREE

This is a Bill of Complaint for Divorce a Vinculo Matrimonii filed by Evelyn M. Packard, Plaintiff, against John E. Packard, Defendant, alleging adultery on the part of the Defendant. There was one daughter born to the marriage, namely, Lisa Marie Packard. The Plaintiff is also seeking guardianship and custody of the child, alimony and support for the Plaintiff and said child and counsel fee.

The Plaintiff testified that her husband had moved in to live with another woman after which time the Plaintiff did not live nor copulate with the Defendant. The charge of adultery was corroborated by the paramour, Norma Elizabeth Haines.

Since the mother was not shown to be unfit and since we must consider what is best for the child who is of tender years and of the female sex, we will award the custody and guardianship of said child to the Plaintiff.

Our next consideration is the amount to be paid by the Defendant for support of the child and alimony to be paid on behalf of the Plaintiff.

At the time of the hearing the Plaintiff was unemployed and we are not aware of any income that she might have, although she has worked in the past.

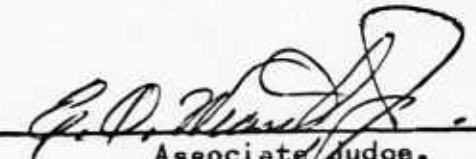
Filed - Jan. 6, 1970

The Defendant, on the other hand, is employed and has a net income of \$359.00 per month. He claims to have monthly expenses of \$266.63, leaving \$92.37 to be considered as being available for the alimony and support. This is so if we are to accept the Defendant's figures. We cannot possibly understand how he feels that his daughter and her mother can live on \$92.37 when it takes him as an individual \$266.63 to survive. (We note that about half of his expenses go towards the purchase, maintenance and depreciation of his automobile.) Obviously, this is impossible and cannot be accepted in our consideration of the amount to be paid to the Plaintiff for alimony and support of the child. On the other hand, we cannot find that the Defendant can pay the \$200 a month which the Plaintiff is requesting. Under the circumstances it is our opinion that the Defendant should pay \$100 per month for alimony and \$60 per month for support of the child. The Plaintiff may find it necessary to return to work, if she finds this inadequate.

It is thereupon, this 6th day of January, 1970, by the Circuit Court for Carroll County, ADJUDGED, ORDERED and DECREED that the said Evelyn M. Packard, Plaintiff, be, and she is hereby, divorced a vinculo matrimonii from the Defendant, John E. Packard. It is further ORDERED that Evelyn M. Packard, Plaintiff, shall have the guardianship and custody of the infant child born to the parties, namely, Lisa Marie Packard, with reasonable rights of visitation on the part of the Defendant, John E. Packard. It is further ORDERED that the said John E. Packard pay, through the Clerk of this Court, the sum of Sixty Dollars (\$60.00) per month towards the support and maintenance of the infant child, until said child becomes 21 years of age, marries, or becomes self-supporting, and the sum of One Hundred

Dollars (\$100.00) per month alimony, subject to the further order of this Court. It is further ORDERED that the said John E. Packard shall pay the sum of One Hundred Dollars (\$100.00) counsel fee for the Plaintiff's attorney.

It is further ORDERED that the said John E. Packard, Defendant, pay the costs of these proceedings, as taxed by the Clerk of this Court.


Associate Judge.

SAM RINEHART LEPPA

Plaintiff

vs.

SHARON DIANE LEPPA

Defendant

IN THE

CIRCUIT COURT

FOR

CARROLL COUNTY

Equity No. 11742

DECREE

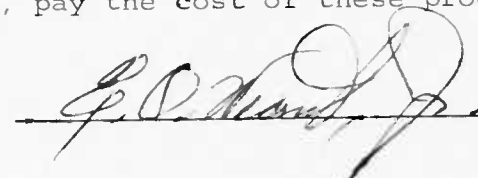
This cause standing ready for hearing and being submitted by the Plaintiff, the Proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 20th day of January, Nineteen Hundred and Seventy, that the above-named Plaintiff,

Sam Rinehart Leppo, be and he is hereby divorced a vinculo matrimonii from the Defendant, Sharon Diane Leppo; and

It is further ORDERED, ADJUDGED and DECREED that the name of Defendant, Sharon Diane Leppo, be and the same is hereby changed to Sharon Diane Snyder, her maiden name before her marriage to the Plaintiff; and

It is further ORDERED, ADJUDGED and DECREED that the Plaintiff, Sam Rinehart Leppo, pay the cost of these proceedings.


Judge

Filed - Jan. 20, 1970

CHARLOTTE B. BARNHART	:	No. 11747 Equity
Plaintiff	:	in the
vs	:	Circuit Court
MELVIN S. BARNHART	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 27th day of January, Nineteen Hundred and Seventy, that the above-named Plaintiff, Charlotte B. Barnhart, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Melvin S. Barnhart; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Melvin S. Barnhart, pay the cost of these proceedings.


Judge

Filed - Jan. 27, 1970

STEPHEN JAMES GULDAN, JR.	:	No. 11775 Equity
Plaintiff	:	in the
vs	:	Circuit Court
BARBARA JOAN GULDAN	:	for
Defendant	:	Carroll County

DECREE


This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court;

WHEREUPON IT IS ORDERED this 27th day of January, Nineteen Hundred and Seventy, that the above-named Plaintiff, Stephen James Guldán, Jr., be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Barbara Joan Guldán; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Stephen Douglas Guldán and Michael Christopher Guldán, the infant children of the parties hereto, be and it is hereby awarded unto the Defendant, Barbara Joan Guldán, with the right unto the Plaintiff, Stephen James Guldán, Jr., to visit said children at reasonable times and under proper circumstances pursuant to the terms and conditions of the Stipulation and Consent to Decree executed by the parties on January 16, 1970; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Stephen James Guldán, Jr., pay direct unto the Defendant, Barbara Joan Guldán, the sum of \$15.00 per week for each child pursuant to the terms and conditions of the Stipulation and Consent to Decree executed by the parties on January 16, 1970; subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Stephen James Guldán, Jr., pay the cost of these proceedings.

Filed - Jan. 27, 1970 
Judge

CHARLES E. McMILLAN	:	No. 11665 Equity
Plaintiff	:	in the
vs	:	Circuit Court
LOUISE J. McMILLAN	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court;

WHEREUPON IT IS ORDERED this 2nd day of February, Nineteen Hundred and Seventy, that the above-named Plaintiff, Charles E. McMillan, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, the said Louise J. McMillan; and

It is further ADJUDGED, ORDERED and DECREED that the Consent Order as to custody filed on August 4, 1969 in Case No. 42712-A titled "Louise J. McMillan vs Charles E. McMillan, Circuit Court No. 2 of Baltimore City" be adopted in this cause; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Charles E. McMillan, pay the cost of these proceedings.

E. D. [Signature]
Judge

Filed - Feb. 3, 1970

WALTER A. DENNISON	:	No. 11767 Equity
Plaintiff	:	In the
vs	:	Circuit Court
PATRICIA ANN DENNISON	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 2nd day of February, Nineteen Hundred and Seventy, that the above-named Plaintiff, Walter A. Dennison, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, the said Patricia Ann Dennison; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Daniel E. Dennison, infant child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Walter A. Dennison, with the right unto the Defendant, Patricia Ann Dennison, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Walter A. Dennison, pay the cost of these proceedings.

E. D. [Signature]
Judge

Filed - Feb. 3, 1970

HELEN L. HORROCKS	§	NO. 11761 EQUITY
Plaintiff	§	IN THE
-v-	§	CIRCUIT COURT
HENRY H. HORROCKS, III	§	FOR
Defendant.	§	CARROLL COUNTY.

OPINION AND DECREE

The Plaintiff herein, Helen L. Horrocks, has filed suit for divorce a vinculo matrimonii from the Defendant, Henry H. Horrocks, III. She also is seeking the custody of the two infant children born to the parties as well as alimony and support for the children. She alleges adultery as the grounds for the divorce she seeks.

The proof showed that the Plaintiff became suspicious of the Defendant after she had found notes from another woman addressed to her husband as well as jewelry receipts and other questionable items. As a result of these discoveries, she retained the Continental Investigative Service, Inc., to put her husband under surveillance. The detectives assigned to the case observed the Defendant having numerous clandestine meetings with one Mary Lee Carter at 13 West Chatswood Avenue, in Reisterstown, Maryland, Mrs. Carter being a 23 year old "rather attractive" (detective report dated September 11, 1969) female. The detectives testified that they observed Mr. Horrocks and Mrs. Carter together in various stages of dress and undress at the Carter residence. They also testified to the usual lights on lights off routine in the bedroom. In addition, there was introduced on behalf of the Plaintiff voluminous material made up of letters and notes, many of which were addressed directly to the Defendant. All appeared to be written by the same person who is identified as Mary Lee. They express what could hardly be considered unrequited love for the

Filed - Feb 3, 1970

Defendant.

It is the opinion of this Court that the burden of proof required by the Court of Appeals to prove adultery has been met in this case; that is, there has been shown a disposition on the part of the Defendant and the paramour to commit adultery and an opportunity to commit the offense.

Since the question of the custody of the two infants was not questioned by the Defendant and since the mother was not shown to be unfit, we will award the children to the Plaintiff.


Anent, the alimony and support for the Plaintiff and the two children born to the parties, we find that the Defendant has a net take-home pay of \$382.00 every two weeks. We are also advised that the Defendant has fixed expenses of approximately \$389.00 per month. In addition to the salary which the Defendant receives he has a small income from some \$14,000 worth of stock which he owns. Considering these facts in addition to the fact that the Plaintiff is unemployed and that she, as well as her children, must be supported in a manner similar to that which they enjoyed before the marriage was destroyed by the Defendant's actions, we conclude that the Defendant should be required to pay approximately 1/2 of his income toward that end. Therefore, we will order that he pay alimony in the amount of \$75.00 per week and support for the children in the amount of \$20.00 per week per child. In addition, we will require the Defendant to pay \$300.00 to the counsel for Helen L. Horrocks for professional services in the matter.

Since there is no apparent argument concerning visitation rights, we will grant the Defendant reasonable rights of visitation with the children.

It is thereupon, this 3rd day of February, 1970, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that Helen L. Horrocks, Plaintiff, be, and she is hereby, divorced a vinculo matrimonii from the Defendant, Henry H. Horrocks, III.

It is further ORDERED that the said Henry H. Horrocks, III pay unto the said Helen L. Horrocks the sum of \$75.00 per week as alimony and the sum of \$20.00 per week per child for the support and maintenance of Stephen B. Horrocks and Jeffrey S. Horrocks, the infant children born to the parties; it is ORDERED that the said Henry H. Horrocks, III pay unto Stanford Hoff, Esquire, the sum of \$300.00 for professional services rendered unto the said Helen L. Horrocks in this cause. It is also ORDERED that the said Henry H. Horrocks, III shall have the right of reasonable visitation with the said children. All of which is subject to the further order of this Court.

It is further ORDERED that the Defendant, Henry H. Horrocks, III, pay the costs of these proceedings, as taxed by the Clerk of this Court.


Associate Judge.

ROLAND TRUMP	:	No. 11755 Equity
Plaintiff	:	In the
vs	:	Circuit Court
GERALDINE TRUMP	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court;

WHEREUPON IT IS ORDERED this 6th day of February, Nineteen Hundred and Seventy, that the above-named Plaintiff, Roland Trump, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Geraldine Trump; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Roland Trump, pay the cost of these proceedings.


Judge

Filed Feb 6, 1970

REBECCA V. BADGER	:	No. 11448 Equity
Plaintiff	:	in the
vs	:	Circuit Court
FRANK C. BADGER	:	for
Defendant	:	Carroll County

DECREE

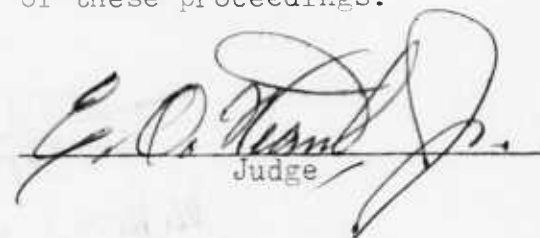
This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court;

WHEREUPON IT IS ORDERED this 11th day of February, Nineteen Hundred and Seventy, that the above-named Plaintiff, Rebecca V. Badger, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Frank C. Badger; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Melody Ann Badger and Merry Christina Badger, the minor children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Rebecca V. Badger, with the right unto the Defendant, Frank C. Badger, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Frank C. Badger, pay direct unto the Plaintiff, Rebecca V. Badger, the sum of \$15.00 per week per child, for a total of \$30.00 per week, toward their support, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Frank C. Badger, pay the cost of these proceedings.


Judge

Filed - Feb. 11, 1970

JOHN J. DAVIS	:	NO. 11727 EQUITY
Plaintiff	:	IN THE
-v-	:	CIRCUIT COURT
B. JEAN DAVIS	:	FOR
Defendant.	:	CARROLL COUNTY.

OPINION AND DECREE

John J. Davis, Plaintiff, has filed a suit for divorce against B. Jean Davis, Defendant, seeking a divorce a vinculo matrimonii on the basis of a voluntary separation. B. Jean Davis filed an answer alleging fraud on the part of the Plaintiff in that he had committed adultery and left the home of the parties. The said B. Jean Davis also filed a Cross-Bill of Complaint seeking a divorce a vinculo matrimonii, the custody and guardianship of the children born to the parties, namely, Susan Davis and John Joseph Davis, maintenance and support for the said children, alimony and counsel fee. In the Cross-Bill she admits that a separation agreement was signed on or about October 28, 1968, but alleges that she was forced to do so by the said John J. Davis. The nature of the "force" is not set forth. She alleges as grounds for her divorce that the said John J. Davis has committed adultery.

A separation agreement was introduced as Plaintiff's Exhibit No. 1. Said agreement is dated October 28, 1968, and states that the parties hereto "are now voluntarily living separate and apart and have been since March 22, 1968". The said B. Jean Davis admits that she and her husband signed the said agreement but that she was forced to do so by reason of threats by her husband that he would cease paying such bills as the oil bill, telephone bill, electric bill, etc.

Since the said John J. Davis admits to committing adultery subsequent to the date of October 28, 1968, the gravamen of this situation is whether the agreement entered into was executed voluntarily by the parties and whether on the date of

Filed Feb. 13, 1970

March 22nd, 1968, the separation was voluntary. The testimony showed that both parties were represented during the negotiations of the terms of the separation agreement. There were several meetings with the attorneys present, but both parties did not always attend. It appears that the husband attended only one of these meetings. Both parties agree that they understood the contents of the agreement. Although the wife now alleges that she signed that instrument under duress, she did admit at the time of taking her deposition in November of 1969, that the separation was voluntary as of March 22nd, 1968. The wife's first attorney, John McDonald, testified that he saw the wife about one week after they separated on March 22nd, 1968, and that the separation was not voluntary on her part at that time. He then stated that it became mutual about six weeks after March 22nd, 1968. However, this date was later adjusted to April 8, 1968, it being the date of the first meeting with attorney McDonald and attorney Friedman. At the same time, curiously enough, Mr. McDonald testified that the wife wanted to reconcile with her husband through the whole period of negotiations. He further stated that she signed because of open bills, some of which he had among his papers. He alleged as did Mrs. Davis that she had gotten turn-off notices from some of the utility companies. The testimony of the representatives of the Gas and Electric Company, the telephone company and the oil company, however, contradicted this in that no turn-off notices were sent out by them. The period of arrearage seems slight. It appears that the only bills that were not paid were those that were in Mr. McDonald's hands. The attorney also indicated that his client had endorsed an income tax check giving us the impression that it had been returned to the husband. However, this did not prove to be the fact as the money was turned over to the wife for her use. We find too many contradictions in the testimony of Mr. McDonald to put much credence in his opinion as to when the parties actually mutually agreed to separate.

It is interesting to note that nowhere in the pleading filed on behalf of B. Jean Davis does she allege that she was forced to sign the agreement because of her husband's threat to cease paying her bills. It appears from this pleading that her major defense and offense is based on the adultery of John J. Davis. There is no mention whatsoever in the pleading of his forcing her to sign the agreement because of his failure to pay bills.

The husband alleges that he and his wife had discussed the matter of voluntary separation prior to the time that he actually left the home on March 22nd, 1968. This the wife denies. She does admit, however, that the husband had a separation agreement prepared prior to the time they separated and that she took this to her attorney when she first went to see him after the physical separation on March 22nd. The husband alleges that she had told him to get out and to bring home papers for her to sign. At the same time the husband says that the wife threatened to drain him dry if he left. Nevertheless, he stated that she very emphatically told him to get out three weeks before they separated. Although the husband admits to committing adultery after October 28th, 1968, he denies having a girlfriend at the time of the separation in March. He denies telling her that he would not pay her bills. Here we note that the bills were sent to him via the children in their suitcase. It further appears that he did not get the few bills that were proved not to be paid as most of them were in Mr. McDonald's files. Even so, there was never a cut-off notice sent.

The mother of John J. Davis testified that B. Jean Davis was visited by her the day after the separation on the 22nd of March. The mother stated that the wife indicated that she wouldn't care whether he came back or not if it wasn't for the children. She stated that she didn't care about her husband but only the children.

It is the opinion of this Court that the allegation of the wife that she was forced into signing the separation agreement because of threats of her husband is not persuasive. As pointed out above this was not mentioned in her pleading. It appears that this argument was not seriously considered until after the taking of the deposition in November of 1969. Up unto and including that time she agreed that the separation was mutual as of March 22nd, 1968. It is our opinion that the mutuality of the agreement became less mutual after the wife found that her husband had a new feminine interest subsequent to the mutual separation. There is no proof that he had any interest in any other woman prior to March 22nd, 1968. The facts as we understand them lead us to the conclusion that the question of separation was discussed prior to March 22nd, 1968, that they agreed to voluntarily separate and that the only matters left to be ironed out were the questions of the children's education, alimony and the house.

Considering the answer to the Plaintiff's Bill of Complaint filed by the Defendant, B. Jean Davis, it would appear that she has attempted to set up a defense of recrimination. However, the Court of Appeals has held that recrimination is not a defense in a cause of action for divorce based on voluntary separation. Hughes v. Hughes, 216 Md. 374; Matysek v. Matysek, 212 Md. 44.

Since the parties have entered into a separation agreement and have been living separate and apart for the statutory period without hope of reconciliation and since the matters of alimony, support for the children and visitation rights are covered therein, we will adopt the provisions of said agreement, subject to the further order of this Court as it pertains to the support, maintenance of the children and visitation rights.

It is thereupon, this 12th day of February, 1970, by the Circuit Court for Carroll County, ^{in Equity,} ADJUDGED, ORDERED and DECREED that John J. Davis, Plaintiff, be, and he is hereby, divorced a vinculo matrimonii from B. Jean Davis, Plaintiff.

It is further ORDERED that the care and custody of the minor children of the parties, namely, Susan Davis and John Joseph Davis, is awarded to the said B. Jean Davis with the right and privilege on the part of John J. Davis to visit and have said children with him every other Saturday and Sunday from 8:00 A.M. Saturday until 9:00 P.M. on Sunday. It is ORDERED that the said John J. Davis pay unto the said B. Jean Davis the sum of \$20.00 per week per child for the support and maintenance of said children, each payment continuing until the respective child shall be deceased, married, attain the age of 21 or become self-supporting.

It is further ORDERED that John J. Davis, Plaintiff, and B. Jean Davis, Defendant, each pay one-half of the costs of these proceedings, as taxed by the Clerk of this Court.

G. O. [Signature]
Associate Judge

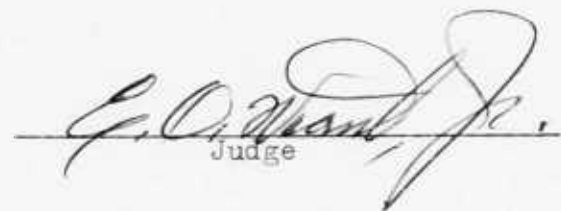
DOROTHY YVONNE GREEN	:	No. 11685 Equity
Plaintiff	:	in the
vs	:	Circuit Court
LEWIS L. GREEN	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court;

WHEREUPON IT IS ORDERED this 13th day of February, Nineteen Hundred and Seventy, that the above-named Plaintiff, Dorothy Yvonne Green, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Lewis L. Green; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Lewis L. Green, pay the cost of these proceedings.


Judge

Filed Feb 13, 1970

WALTER E. GREEN	:	No. 11744 Equity
Plaintiff	:	in the
vs	:	Circuit Court
DORIS E. GREEN	:	for
Defendant	:	Carroll County

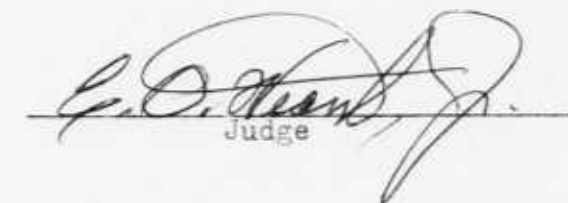
DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 13th day of February, Nineteen Hundred and Seventy, that the above-named Plaintiff, Walter E. Green, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Doris E. Green; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Gerald Everett Green, the minor child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Walter E. Green, with the right unto the Defendant, Doris E. Green, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Walter E. Green, pay the cost of these proceedings.


Judge

Filed - Feb 13, 1970

BONNIE J. HAINES : No. 11762 Equity
 Plaintiff : In the
 vs : Circuit Court
 J. R. EUGENE HAINES : for
 Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 24th day of February, Nineteen Hundred and Seventy, that the above-named Plaintiff, Bonnie J.

Haines, be and she is hereby divorced "A VINULO MATRIMONI" from the Defendant, the said J. R. Eugene Haines; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Ronald Eugene Haines and Sharon Elaine Haines, the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Bonnie J. Haines, with the right unto the Defendant, J. R. Eugene Haines, to visit said children at reasonable times and under proper circumstances, subject, however, to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, J. R. Eugene Haines, pay all reasonable medical expenses of the children, Ronald Eugene Haines and Sharon Elaine Haines, pursuant to the terms and conditions of the Separation Agreement, executed by the parties on March 26, 1969, subject, however, to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the pertinent terms of the Separation Agreement by and between the parties dated March 26, 1969, and filed in this cause of action, be and they are hereby approved and made a part hereof as if fully set forth herein;

Filed - Feb 24, 1970

And it is further ADJUDGED, ORDERED and DECREED that the Defendant, J. R. Eugene Haines, pay the cost of these proceedings.


 JUDGE

JAMES W. MAY, JR.
Rt. 1
Taneytown, Maryland

Plaintiff

vs

ROXANNA L. MAY
253 E. Baltimore Street
Gettysburg, Pennsylvania

Defendant

In the
Circuit Court
for
Carroll County
Equity No. 11772
22/12

DECREE OF DIVORCE

This cause standing ready for hearing, testimony having been heard in open court, and being submitted,

It is thereupon, this 25th day of February, 1970, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the said James W. May, Jr., the above-named Plaintiff, be and he is hereby divorced a vinculo matrimonii from the Defendant, Roxanna L. May.

And it is further ORDERED that the Plaintiff, James W. May, Jr., pay the costs of these proceedings.

C. D. [Signature]
Judge

Filed - Feb 25, 1970

NADINE DELORES BAUERLIEN
Hanover
Pennsylvania

Plaintiff

vs

WILLIAM ROBERT BAUERLIEN, SR.
Greenmount
Maryland

Defendant

NO. 11346 EQUITY

IN THE

CIRCUIT COURT

FOR

CARROLL COUNTY

DECREE

This matter came on for hearing on Friday, May 17, 1968, at which time the Plaintiff and her counsel and counsel for the Defendant appeared in Court. Upon receiving testimony in open Court, it appears that the Plaintiff is entitled to the relief prayed in the Bill of Complaint heretofore filed.

It is therefore this 25th day of February, 1970, by the Circuit Court for Carroll County, sitting as a Court of Equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Nadine Delores Bauerlien, be, and she is hereby, divorced a vinculo matrimonii from her husband, the Defendant, William Robert Bauerlien, Sr.; and it is further ADJUDGED, ORDERED AND DECREED that the terms of a "Stipulation" entered into between the parties hereto and heretofore filed in this cause be, and the same are hereby, incorporated as a part of this decree, one of the terms of said "Stipulation" being "That the Defendant agrees to pay the sum of Fifteen Dollars (\$15) per week for the support and maintenance of each of the infant children of the parties, namely, Bonnie Sue Bauerlien (born January 21, 1956) and Beverly Carol Bauerlien (born September 20, 1957) until each child reaches the age of twenty-one (21) years, dies, marries or becomes self-supporting, whichever event shall first occur. That the Defendant agrees that the said Wife shall have the permanent care and

Filed - Feb 25, 1970

custody of said infant children and the said Wife agrees that the said Husband shall have rights of reasonable visitation with said children." The foregoing provisions of this decree pertaining to care, custody and support of the infant children of the parties are and shall remain subject to the further order of this Court.

And it is further ORDERED that the Defendant pay the costs of this proceeding as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. WEANT, JR., ASSOCIATE JUDGE

MADOLYN B. ARNOLD	¶	NO. 11716 EQUITY
Plaintiff	¶	IN THE
-v-	¶	CIRCUIT COURT
JAMES DONALD ARNOLD	¶	FOR
Defendant.	¶	CARROLL COUNTY.

OPINION AND DECREE

The Plaintiff herein, Madolyn B. Arnold, has filed suit for divorce a vinculo matrimonii from the Defendant, James Donald Arnold, alleging adultery as the grounds therefor. She is also seeking alimony and counsel fee.

The accusation of adultery was not seriously defended by the husband. It is the opinion of this Court that the circumstantial evidence adduced on behalf of the Plaintiff was sufficient to establish a disposition on the part of the Defendant and his paramour to commit adultery and that they had ample opportunity to commit the offense. We think that the facts and circumstances in this case would convince an unprejudiced and cautious person of the guilt of the Defendant.

The main bone of contention seems to be the question of alimony. The Plaintiff is seeking \$25.00 per week alimony and the Defendant alleges inability to pay anything. The Plaintiff has a net income of \$72.00 per week and the Defendant a net income of \$133.22 per week. The Plaintiff claims to have monthly expenses for basic needs in the approximate amount of \$200.00. The Defendant, on the other hand, claims to have monthly expenses of \$632.66. Three Hundred, Fifteen Dollars and Eighty-five cents of these monthly expenses of the Defendant are made up of payments on debts incurred while the parties were living together with the exception of a \$901.15 bill (balance) which seems to have been incurred when the Defendant set up housekeeping with his paramour with whom he is presently living.

Filed - Mar. 2, 1970

In reviewing the statement of expenses of James D. Arnold we find that the installments on the automobiles of the parties to Maryland National Bank in the amount of \$61.07 and \$49.67 will cease at the end of five payments. This also applies to the payment of \$62.50 to Housefold Finance. The only other two sizeable debts are represented by payments of \$61.00 to Seaboard Finance and \$49.00 to Montgomery Ward. Since the Montgomery Ward bill was incurred for the purpose of buying furniture for the love nest for the Defendant and his girlfriend, we can see no reason by this should be considered by this Court. The alternative, then, would be repossession by the store or the assumption of this responsibility by the paramour. Also, we find that there is a major expense of \$148.00 per month for rent, which is obviously made necessary by reason of the fact that the Defendant is not living alone where he could afford a much less expensive pad. Eliminating the payments to the Maryland National Bank, the Household Finance, the Montgomery Ward and allowing for less rent we arrive at a saving to the Defendant of approximately \$250.00 per month which will be brought about in less than five months. This would put the Defendant into a financial situation where he could easily afford the \$25.00 per week requested by the Plaintiff.

Considering the above calculations, the length of time the parties have lived together, the income of the wife, her expenses and station in life, we arrive at the conclusion that an award of permanent alimony of \$25.00 per week would not be excessive.

The payments, which we have indicated will be completed in five more installments, have not been made for the month of February according to the papers put in evidence by the Defendant. Therefore, we will consider that these balance will be paid off by the end of June during which time the Defendant will not be required to pay alimony. However, this will, in effect, deprive

the Plaintiff of alimony for a period of 20 weeks or \$500.00. Since it would appear that the financial straits in which the Defendant finds himself are to a large degree due to his extravagance, we do not feel that the Plaintiff should be penalized therefor. In order that the Plaintiff is not permanently deprived of this amount, we will require that the Defendant make 100 payments in the amount of \$30.00 per week and reduce the amount thereafter to \$25.00 permanent alimony.

It is thereupon this 2nd day of ~~February~~ ^{MARCH}, 1970, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the Plaintiff, Madolyn B. Arnold, be, and she is hereby, divorced a vinculo matrimonii from the Defendant, James Donald Arnold. It is also ORDERED that the Defendant, James Donald Arnold, pay to the Plaintiff, Madolyn B. Arnold, the sum of Thirty Dollars (\$30.00) per week for 100 weeks, the first payment to be due July 1, 1970, and thereafter Twenty-five Dollars (\$25.00) per week as permanent alimony for the Plaintiff. The Defendant is further ORDERED to pay the sum of Two Hundred, Fifty Dollars ^(250.00) ~~(\$250.00)~~ to Marker J. Lovell, Solicitor for the Plaintiff.

It is further ORDERED that the Defendant, James Donald Arnold, pay the costs of these proceedings, as taxed by the Clerk of this Court.

E. C. [Signature]
Associate Judge.

BARBARA E. HOPKINS	}	NO. 11381 EQUITY
Plaintiff	}	IN THE
-v-	}	CIRCUIT COURT
CLARENCE M. HOPKINS	}	FOR
Defendant.	}	CARROLL COUNTY

OPINION AND DECREE

This case originated by the filing of a "Bill of Complaint for Divorce, Alimony, Custody and Support of Minor Children" on behalf of Barbara E. Hopkins, Plaintiff, and against Clarence M. Hopkins, Defendant. Thereafter, an "Answer" was filed on behalf of the said Defendant. In addition, the Defendant filed a "Petition for Visiting Privileges". An order was passed granting limited privileges to Clarence M. Hopkins. On July 22nd, 1968, "Interrogatories" were filed on behalf of the Defendant and on September 3rd, 1968, a "Petition for Discovery and Order" was filed on behalf of the Defendant. On October 15, 1968, the Defendant filed an instrument entitled as follows: "1-Supplemental Bill--In The Form of Counter Claim
2- Motion to Strike Pleadings
3- Affidavit & of Non-Military Service".

On December 13, 1968, the Defendant filed a "Request for Decree Pro Confesso" with an "Order Nisi". On January 22nd, 1969, the "Decree Pro Confesso" was granted. On February 14, 1969, a hearing was had and testimony taken relative to the Defendant's Cross-Bill. The Plaintiff did not appear at the hearing. At the end thereof the matter was held sub curia pending the furnishing of authority by the Defendant's attorney relative to awarding custody of young children to a father when the mother has not been shown to be unfit. On April 7, 1969, the Defendant filed a "Petition for Permanent Custody" along with "Points and Authorities". Since the Court had held the matter sub curia awaiting the requested law memoranda, this Petition was not

Filed Mar. 11, 1970

brought to our attention until January of 1970. At that time the Court requested another hearing for the purpose of ascertaining the present status of the parties and the children. Both parties appeared at that hearing and the matter was again held sub curia, awaiting requested reports from the Carroll County Department of Social Services and the Howard County Department of Social Services. These reports were received by this Court on March 6th, 1970.

Considering first what we take to be a cross-bill filed by Clarence M. Hopkins for an a mensa divorce. This matter was the subject of the hearing on February 14, 1969. At that time, as mentioned above, Barbara E. Hopkins did not appear nor was she represented. Clarence M. Hopkins testified that his wife had left him and had taken the children to Chicago. This occurred on March 16, 1968. He testified that he gave his wife no cause to take this action. He stated that he felt she left because he had been correcting the children and she did not approve. Mrs. Martha Hopkins testified that she had talked to Barbara E. Hopkins. She quotes Barbara as stating that she never wanted to live with Clarence again. It was further shown that Barbara and Clarence had not lived together since she left in March 16, 1968.

Under this proof it appears to the Court that the granting of the divorce a mensa et thoro would be in order.

Our next consideration is that of the custody and guardianship of the children, namely, Clarence M. Hopkins, Jr., born August 28, 1963, and David Lee Hopkins, born September 8, 1964. In order to help the Court decide this matter we have asked for the reports mentioned above. Unfortunately, these reports shed little light on the desirability of the home life of the parties. They appear to be little more than reiteration of the statements previously made by the parties. With the

exception of the trip to Chicago in 1968 made by Mrs. Hopkins, which trip appears to have been made under some questionable circumstances, we can find no proof in the testimony or in the reports that Mrs. Hopkins is not fit to have the care and custody of the children of the parties. We have asked the attorney for Clarence M. Hopkins for authority which would contravene our understanding of the rulings of the Court of Appeals that ordinarily the custody of young children is given to the mother wherein she is not shown to be unfit. We do not understand that his "Points and Authorities" does this.

As is usually the case, we must consider what is best for the children. In so doing, we consider the age, health and sex of the child, competency, character and conduct of the parents, preference of the child, financial and material benefits to the child, effect of transfer of custody, the physical, spiritual and moral well-being of the child, and the environment and surroundings in which the child is to be reared. In this case the children are male and of tender years. Because of their years we have not asked the preference of the children herein. We find nothing at this time to show that either of the parents are not competent or of good character with the exception of the accusations made by each against the other. The husband accuses the wife of being unfaithful and she accuses him of being a drunk. Unfortunately, our reports shed little light on this. As far as the financial and material benefits to the children are concerned it is possible that there might be some slight material benefit gained by the children if they were to move in with the father and his parents. However, we do not find that this benefit would be governing in this case. The children have been and are now in the custody of the mother and we hesitate to make that transfer at this time for the little benefit, if any, that could be derived from such a change. We feel that the emotional

upheaval suffered by the children by way of this move would be unjustified. As far as the physical, spiritual and moral well-being in the surroundings in which the children are to be reared, we feel that there is little choice, certainly not sufficient to overcome the proposition that young children are usually given to the mother where the mother is not shown to be unfit. In considering this latter premise the Court of Appeals in the case of Cullotta v. Cullotta, 193 Md. 374, at page 385, stated as follows:

"Infants as young as those before this Court (all under 10 years) should not be separated from their mother without grave and weighty reasons, which we do not find to exist in this case".

In the case of Miller v. Miller, 191 Md. 396, that Court said at page 408:

" . . . it is undoubtedly true that under ordinary circumstances the welfare of a very young child is better preserved by awarding custody to the mother."

These holdings have been made by the Court of Appeals many times and it is our opinion that the facts in this case do not warrant parting from this practice by the separation of Clarence, Jr. and David Lee from their mother.

It is thereupon, this 11th day of March, 1970, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that Clarence M. Hopkins, Defendant, be, and he is hereby, divorced a mensa et thoro from the Plaintiff, Barbara E. Hopkins. It is ORDERED that the Plaintiff, Barbara E. Hopkins, shall have the custody and guardianship of the two infant children, namely, Clarence M. Hopkins, Jr. and David Lee Hopkins, and that Clarence M. Hopkins be granted visitation rights with the said children on the first and third Sundays of each month from 9:00 A.M. to 5:00 P.M. at or away from the residence of Barbara E. Hopkins. It is further ORDERED that the Defendant,

Clarence M. Hopkins, pay to the said Barbara E. Hopkins, the sum of Ten Dollars (\$10.00) per child per week for his support and maintenance until such child shall reach the age of 21, becomes self-employed, marries or dies.

It is further ORDERED that Clarence M. Hopkins pay the costs of these proceedings, as taxed by the Clerk of this Court.

E. O. Munn
Associate Judge.

BEATRICE E. PICKETT
11 Poplar Avenue
Westminster, Maryland

Plaintiff

vs

GEORGE W. PICKETT, JR.
Box 232
Sykesville, Maryland

Defendant

In the
Circuit Court
for
Carroll County
No. 11806 Equity
22/32

DECREE OF DIVORCE

This cause standing ready for hearing, testimony having been heard in open court, and being submitted.

It is thereupon, this 13th day of March, 1970, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the said Beatrice E. Pickett, the above-named Plaintiff, be and she is hereby divorced a vinculo matrimonii from the Defendant, George W. Pickett, Jr.

And it is further ORDERED that the said Defendant pay the costs of this proceeding.

E. O. Munn
Judge

Filed - Mar 16, 1970

SHEILA M. ALBAUGH	¶	NO. 11781 EQUITY
Complainant	¶	IN THE
-v-	¶	CIRCUIT COURT
JAMES ALLEN ALBAUGH,	¶	FOR
Respondent.	¶	CARROLL COUNTY.

MEMORANDUM AND DECREE

The Complainant herein, Sheila M. Albaugh, filed a Bill of Complaint for Divorce a Vinculo Matrimonii from the Respondent, James Allen Albaugh. She also seeks maintenance and support for their infant daughter and, we assume, the custody of the said child. She is not seeking alimony. The Bill of Complaint alleges that the Respondent deserted the Complainant on or about October 25, 1967. The Respondent filed a Cross-Bill of Complaint but dismissed same at the time of the hearing.

The proof showed that the Respondent walked out on the Complainant and took his belongings on or about October 25, 1967. It further shows that the parties have not lived together as man and wife since that time.

Since the mother has not been shown to be unfit and since there was no request for custody of the infant child by the Respondent, we will award the guardianship of the child to Sheila M. Albaugh along with the payment of support and maintenance.

The Complainant is employed and nets \$60.00 per week. The Respondent is in the United States Navy and is entitled to an allowance for a child in addition to his base pay. The Court is advised that Mr. Albaugh is given an allowance by the Navy of \$114.90 per month for himself and his dependents. It is obvious that his wife and child could not live on this amount and that, therefore, it is not intended to be a complete support allowance but merely a supplement thereto. However, we know that the husband is also receiving a base pay of \$437.00 per month plus

Filed - Mar. 23, 1970

proficiency pay and board and room. Considering "the husband's earning capacity, the station in life of the couple, their physical condition and ability to work, the length of time they have lived together and the circumstances that led to the divorce and the fault that destroyed the home" - Sanborn v. Sanborn, 256 Md. 178, 179 - we feel that the amount of \$35.00 sought by the Complainant is fair for the support and maintenance of the child.

It is thereupon, this 23rd day of March, 1970, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that Sheila M. Albaugh, Complainant, be, and she is hereby, divorced a vinculo matrimonii from the Respondent, James Allen Albaugh and that the said Sheila M. Albaugh shall have the guardianship and custody of the infant child born to the parties, namely, Celeste Marianne Albaugh, with reasonable rights of visitation on the part of James Allen Albaugh. It is further ORDERED that the said James Allen Albaugh shall pay to Sheila M. Albaugh the sum of Thirty-five Dollars (\$35.00) per week toward the support and maintenance of the infant child until said child shall reach the age of 21, dies, marries, or becomes self-supporting.

It is further ORDERED that the Respondent, James Allen Albaugh, pay the costs of these proceedings, as taxed by the Clerk of this Court.

G. D. [Signature]
Associate Judge.

EDWARD ELWOOD CLINGAN	:	No. 11739 Equity
Plaintiff	:	in the
vs	:	Circuit Court
JOANNE DOLORES CLINGAN	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 7th day of April, Nineteen Hundred and Seventy, that the above-named Plaintiff, Edward Elwood Clingan, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Joanne Dolores Clingan; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Edward Elwood Clingan, pay the cost of these proceedings.

E. O. Harmon, Jr.
Judge

Filed - Apr 7, 1970

MARY JOYCE HARMON	:	No. 11758 Equity
Plaintiff	:	in the
vs	:	Circuit Court
WILLIAM WESLEY HARMON, JR.	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 7th day of April, Nineteen Hundred and Seventy, that the above-named Plaintiff, Mary Joyce Harmon, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, William Wesley Harmon, Jr.; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Donald Edward Harmon, David Eugene Harmon, Michael Steven Harmon, and Kimberly Ann Harmon, the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Mary Joyce Harmon, with the right unto the Defendant, William Wesley Harmon, Jr., to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, William Wesley Harmon, Jr., pay direct unto the Plaintiff, Mary Joyce Harmon, the sum of \$15.00 per week per child towards their support, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the pertinent terms of the agreement by and between the parties hereto dated February 10, 1969 and filed in this cause of action, be and they are hereby approved and made a part hereof as if fully set forth herein; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, William Wesley Harmon, Jr., pay the cost of these proceedings.

Filed Apr 7, 1970

E. O. Harmon, Jr.
Judge

A. EILEEN PRIEST	:	In the
Plaintiff	:	Circuit Court
vs	:	for
CECIL E. PRIEST	:	Carroll County
Defendant	:	No. 11714 Equity

DECREE OF DIVORCE

This cause standing ready for hearing, testimony having been heard in open court, and being submitted,

It is thereupon, this 7th day of April, 1970, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the said A. Eileen Priest, the above-named Plaintiff, be and she is hereby divorced a vinculo matrimonii from the Defendant, Cecil E. Priest.

And it is further ORDERED that the Plaintiff, A. Eileen Priest, pay the costs of these proceedings.

[Signature]
Judge

Filed April 7, 1970

HELEN M. RHOTEN	:	No. 11773 Equity
Plaintiff	:	in the
vs	:	Circuit Court
LESTER L. RHOTEN, JR.	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 13th day of April, Nineteen Hundred and Seventy, that the above-named Plaintiff, Helen M. Rhoten, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Lester L. Rhoten, Jr.; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Theresa L. Rhoten, Sharon L. Rhoten, Bonnie G. Rhoten, and Lester L. Rhoten, III, the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Helen M. Rhoten, with the right unto the Defendant, Lester L. Rhoten, Jr., to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Lester L. Rhoten, Jr., pay direct unto the Plaintiff, Helen M. Rhoten, the sum of \$5.00 per week per child toward their support, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the pertinent terms of the agreement by and between the parties hereto dated November 15, 1968 and filed in this cause of action, be and they are hereby approved and made a part hereof as if fully set forth herein; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Lester L. Rhoten, Jr., pay the cost of these proceedings.

Filed-Apr 13, 1970

[Signature]
Judge

ANTHONY DIMARTINO	:	No. 11797 Equity
Plaintiff	:	in the
vs	:	Circuit Court
CAROLYN A. DIMARTINO	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 13th day of April, Nineteen Hundred and Seventy, that the above-named Plaintiff, Anthony DiMartino, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Carolyn A. DiMartino; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Toni Ann DiMartino, Mona Lynn DiMartino, Andres C. DiMartino and Larry DiMartino, the infant children of the parties hereto, be and it is hereby awarded unto the Defendant, Carolyn A. DiMartino, with the right unto the Plaintiff, Anthony DiMartino, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Anthony DiMartino, pay direct unto the Defendant, Carolyn A. DiMartino, the sum of \$25.00 per week per child towards their support, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the pertinent terms of the agreement by and between the parties hereto dated October 1, 1969 and filed in this cause of action, be and they are hereby approved and made a part hereof as if fully set forth herein; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Anthony DiMartino, pay the cost of these proceedings.

E. O. Hand, Jr.
Judge

Filed - Apr 13, 1970

OLIVER V. ELKINS	:	No. 11707 Equity
Plaintiff	:	in the
vs	:	Circuit Court
RUTH O'DEAN ELKINS	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 1 day of May, Nineteen Hundred and Seventy, that the above-named Plaintiff, Oliver V. Elkins, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Ruth O'Dean Elkins; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Oliver V. Elkins, pay the cost of these proceedings.

E. O. Hand, Jr.
Judge

MA 1 11 1970

Filed - May 1, 1970

JOHN SHRIVER		NO. 11782 EQUITY
Plaintiff		IN THE
-v-		CIRCUIT COURT
PATRICIA ANN SHRIVER		FOR
Defendant,		CARROLL COUNTY.

OPINION AND DECREE

This comes to us as a Bill of Complaint filed by John Shriver, Plaintiff, seeking a divorce a vinculo matrimonii from Patricia Ann Shriver, Defendant. The uncontested ground for this divorce is voluntary separation. Since the testimony is uncontradicted that the parties voluntarily separated and have lived separate and apart for 18 months prior to the filing of this Bill of Complaint, we have only the custody of the infant child of the parties, Sherrie Lynn Shriver, to consider.

In this as in all custody cases the primary consideration is what is in the best interest and welfare of the child. Apropos of this the Court of Appeals in Hild v. Hild, 221 Md. 349, at 357, has said:

"For the purpose of ascertaining what is likely to be in the best interests and welfare of a child a court may properly consider, among other things, the fitness of the persons seeking custody, the adaptability of the prospective custodian to the task, the age, sex and health of the child, the physical, spiritual, and moral well-being of the child, the environment and surroundings in which the child will be reared, the influences likely to be exerted on the child, and, if he or she is old enough to make a rational choice, the preference of the child."

The Court further said in the same case also on page 357:

"Since the mother is the natural custodian of the young and immature, custody is ordinarily awarded to her, at least temporarily, in legal contests between parents when other things are equal, even when the father is without fault, provided the mother is a fit and proper person to have custody." (Emphasis added.)

Filed - May 4, 1970

Again, the Court of Appeals at the same reference said:

"But the general rule favoring the mother, even where the child is young and immature, is not inflexible and ought to give way to the exigencies of the situation in every case where there are circumstances which require application of the fundamental rule that the paramount consideration is the best interests and welfare of the child."

We have here the Plaintiff father who has had the child with him since August of 1968. This was with the consent of the Defendant who did not seek custody of the child until the fall of 1969 when she became pregnant by another man. However, her efforts at seeking custody were not successful. Since then she apparently has made little effort toward even seeing the child. In March of 1970 the Defendant gave birth to an illegitimate child. She now lives in a trailer park with that child and until recently has been employed only sporadically. She maintains that she gave up the child because of finances and also maintains that she does not now want full custody of the child as she has not yet gotten her working schedule worked out. She does, however, plan to leave Sherrie and her other child with a babysitter. The sitter is to be the sister of the father of her illegitimate child. She also intends on keeping a work schedule that will require her to leave for work at 6:00 AM in the morning and return at 6:00 PM in the evening. We are constrained to comment that this arrangement seems doubtful as to its permanency in view of the past work history of the Defendant.

The arrangement which the father has for caring for the child is to take her before he goes to work at 4:00 PM to his parents who live across the street from his home. He picks the child up upon his return sometime after 12:00 midnight. The testimony is that this arrangement works outwell for the child and that she is

not disturbed by the transfer from the grandparents' home to the father's home across the street at the late hour. The father has stated that he would change his working hours if this became a factor in whether or not he should have custody of the child. The Plaintiff has produced numerous respected persons who have testified that he has been an excellent father to the child, that he has maintained an excellent home for her, that he is an excellent worker, that he sees that the child attends Sunday School, that he sees after her physical well-being, and, in short, is as close to being a father and mother to the child as a person could be.

In considering all of the principals which the Court of Appeals has set down as guidelines for these cases, such as the fitness of the person seeking custody, the adaptability of the prospective custodian in the past, the age, sex, and health of the child, the physical, spiritual, and moral well-being of the child, the environment and surroundings in which the child shall be reared, the influences likely to be exerted on the child and if he or she is old enough to make a rational choice, the preference of the child, we can find only two aspects which might favor the custody in the mother. They are the age and sex of the child. On all other points the father comes out far ahead as there is no proof and certainly little presumption that she would be superior or even equal in any of these. Granting that the age and sex of the child are of great importance to our decision, we are not persuaded that these are significant to the point of being controlling. On the proof presented in this case we cannot say that the mother is a fit and proper person to have custody and guardianship of the infant in question herein. We are convinced that the best interests and welfare of the child will be served in the custody of its father.

It is thereupon, this 4th day of May, 1970, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that John Shriver, Plaintiff, be, and he is hereby, divorced a vinculo matrimonii from the Defendant, Patricia Ann Shriver. It is further ORDERED that the said John Shriver, Plaintiff, shall have the care and custody of the infant child, Sherrie Lynn Shriver, with the right and privilege on the part of Patricia Ann Shriver, Defendant, to have reasonable visitation rights.

It is further ORDERED that the Plaintiff, John Shriver, pay the costs of these proceedings, as taxed by the Clerk of this Court.


Associate Judge.

JO ANN GRIFFITH	:	No. 11749 Equity
Plaintiff	:	in the
vs	:	Circuit Court
LEE GRIFFITH	:	for
Defendant	:	Carroll County

DECREE


This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 5th day of May, Nineteen Hundred and Seventy, that the above-named Plaintiff, Jo Ann Griffith, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Lee Griffith; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Teresa Annette Griffith, the infant child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Jo Ann Griffith, with the right unto the Defendant, Lee Griffith, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Lee Griffith, pay direct unto the Plaintiff, Jo Ann Griffith, the sum of \$15.00 per week toward the support of the child, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Lee Griffith, pay the cost of these proceedings.


Judge

WHA 2 9-0-44 110

Filed - May 5, 1970

ELMER WOODWARD PRINCE, JR.	:	No. 11780 Equity
Plaintiff	:	In the
vs	:	Circuit Court
CAROL GAISER PRINCE	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 12th day of May, Nineteen Hundred and Seventy, that the above-named Plaintiff, Elmer Woodward Prince, Jr., be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Carol Gaiser Prince; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Elmer Woodward Prince, Jr., pay the cost of these proceedings.


Judge

WHA 2 9-0-44 110

Filed - May 12, 1970

PATRICIA BOZZELL	:	No. 11820 Equity
Plaintiff	:	in the
vs	:	Circuit Court
ALBERT E. BOZZELL	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 12th day of May, Nineteen Hundred and Seventy, that the above-named Plaintiff, Patricia Bozzell, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Albert E. Bozzell; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Dennis Eugene Bozzell and Duane Allen Bozzell, the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Patricia Bozzell, with the right unto the Defendant, Albert E. Bozzell, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Albert E. Bozzell, pay direct unto the Plaintiff, Patricia Bozzell, the sum of \$15.00 per week per child toward their support, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Patricia Bozzell, pay the cost of these proceedings.

E. P. [Signature]
Judge

Filed - May 12, 1970

GALEN L. IMLER	:	No. 11730 Equity
Plaintiff	:	in the
vs	:	Circuit Court
DEBORAH L. IMLER	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 15th day of May, Nineteen Hundred and Seventy, that the above-named Plaintiff, Galen L. Imler, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, the said Deborah L. Imler; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Michael Todd Imler, one of the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Galen L. Imler, with the right of the Defendant, Deborah L. Imler, to visit said child at reasonable times and under proper circumstances; and that the guardianship and custody of Robert Lee Imler, the other infant child of the parties hereto, be and it is hereby awarded unto the Defendant, Deborah L. Imler, with the right unto the Plaintiff, Galen L. Imler, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Galen L. Imler, pay direct unto the Defendant, Deborah L. Imler, the sum of \$10.00 per week toward the support of Robert Lee Imler, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Galen L. Imler, pay the cost of these proceedings.

E. P. [Signature]
Judge

Filed - May 15, 1970

GLORIA LEE HEFFNER : No. 11723 Equity
Plaintiff : in the
vs : Circuit Court
GEORGE PATRICK HEFFNER : for
Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 15th day of May, Nineteen Hundred and Seventy, that the above-named Plaintiff, Gloria Lee Heffner, be and she is hereby divorced "A VINULIO MATRIMONII" from the Defendant, George Patrick Heffner; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Carol Ann Heffner, Phillip Eugene Heffner, George Patrick Heffner, Tommy Sue Heffner, Ray Allen Heffner, and James Paul Heffner, the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Gloria Lee Heffner, with the right unto the Defendant, George Patrick Heffner, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, George Patrick Heffner, pay direct unto the Plaintiff, Gloria Lee Heffner, the sum of \$25.00 per week toward the support of the children of the parties, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Gloria Lee Heffner, pay the cost of these proceedings.

G. O. M. J.
Judge

Filed - May 15, 1970

PEGGY MILLER : No. 11846 Equity
Plaintiff : in the
vs : Circuit Court
EMORY MILLER : for
Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 15th day of May, Nineteen Hundred and Seventy, that the above-named Plaintiff, Peggy Miller, be and she is hereby divorced "A VINULIO MATRIMONII" from the Defendant, Emory Miller; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Peggy Miller, pay the cost of these proceedings.

G. O. M. J.
Judge

Filed - May 15, 1970

MARTHA L. CARBAUGH	:	No. 11791 Equity
Plaintiff	:	in the
vs	:	Circuit Court
FRED W. CARBAUGH	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 18th day of May, Nineteen Hundred and Seventy, that the above-named Plaintiff, Martha L. Carbaugh, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Fred W. Carbaugh; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Martha L. Carbaugh, pay the cost of these proceedings.


Judge

Filed - May 18, 1970

ELMER EUGENE STIFFLER	:	No. 11851 Equity
Plaintiff	:	in the
vs	:	Circuit Court
ELAINE BEVERLY STIFFLER	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 18th day of May, Nineteen Hundred and Seventy, that the above-named Plaintiff, Elmer Eugene Stiffler, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Elaine Beverly Stiffler; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Elmer Eugene Stiffler, pay the cost of these proceedings.


Judge

Filed - May 18, 1970

JOHN O. FRITZ	I	NO. 11750 EQUITY
Plaintiff	I	IN THE
vs	I	CIRCUIT COURT
ELIZABETH S. FRITZ	I	FOR
Defendant	I	CARROLL COUNTY

DECREE

This case came on for hearing on May 15, 1970, and being submitted, testimony was taken in open court, counsel were heard, and the testimony considered.

It is thereupon this 24th day of May, 1970, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED, and DECREED that the Plaintiff, John O. Fritz, be and he is hereby divorced a vinculo matrimonii from his wife, the Defendant, Elizabeth S. Fritz.

And it is further ORDERED, ADJUDGED, and DECREED that the Defendant, Elizabeth S. Fritz, is entitled to receive, by way of alimony, out of the said John O. Fritz's estate, and the said John O. Fritz is hereby ordered to pay unto the said Elizabeth S. Fritz the weekly sum of \$20.00 per week, to be computed from date of this Decree, and payable thereafter in weekly sums.

And it is further ordered that the Plaintiff, John O. Fritz, pay the costs of these proceedings as taxed by the Clerk of this Court.

E. O. Weant
E. O. WEANT - Associate Judge

Filed - May 20, 1970

SUSAN CAROL ROTHENBERGER	:	No. 11811 Equity
Plaintiff	:	in the
vs	:	Circuit Court
CHARLES EDWARD ROTHENBERGER	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 22nd day of May, Nineteen Hundred and Seventy, that the above-named Plaintiff, Susan Carol Rothenberger, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Charles Edward Rothenberger; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Susan Carol Rothenberger, pay the cost of these proceedings.

E. O. Weant
Judge

Filed - May 22, 1970

SANDRA J. CREECH : No. 11637 Equity
 Plaintiff : in the
 vs : Circuit Court
 ROGER CREECH : for
 Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 1st day of June, Nineteen Hundred and Seventy, that the above-named Plaintiff, Sandra J. Creech, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Roger Creech; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Sandra J. Creech, pay the cost of these proceedings.


 Judge

Filed June 1, 1970

SHARON E. HARVEY : No. 11829 Equity
 Plaintiff : in the
 vs : Circuit Court
 CHARLES L. HARVEY, JR. : for
 Defendant : Carroll County

DECREE

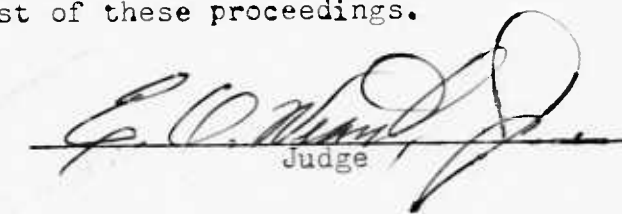
This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 1st day of June, Nineteen Hundred and Seventy, that the above-named Plaintiff, Sharon E. Harvey, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Charles L. Harvey, Jr.; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Bruce Kelly Harvey, the infant child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Sharon E. Harvey, with the right unto the Defendant, Charles L. Harvey, Jr., to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Charles L. Harvey, Jr., pay direct unto the Plaintiff, Sharon E. Harvey, the sum of \$15.00 per week toward the support of the minor child, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Sharon E. Harvey, pay the cost of these proceedings.


 Judge

Filed June 1, 1970

LEONARD C. HAINES	I	NO. 11853 EQUITY
Plaintiff	X	IN THE
vs.	X	CIRCUIT COURT
MARY GRACE HAINES	X	FOR
Defendant	I	CARROLL COUNTY

DECREE

This cause came on for hearing on May 22, 1970, and being submitted, testimony was taken in open Court. Counsel were heard and the testimony considered. The Defendant did not appear but was represented.

It is thereupon this ^{June} 3rd day of ~~May~~ 1970, by the Circuit Court for Carroll County, sitting in equity, ADJUDGED, ORDERED AND DECREED that the Plaintiff, Leonard C. Haines, be and he is hereby divorced a vinculo matrimonii from his wife, the Defendant, Mary Grace Haines.

And it is further ordered, adjudged and decreed as follows:

1. That the Defendant, Mary Grace Haines, be and she is hereby awarded the custody of the infant child of the parties, namely, Michael Allan Haines, subject to the further order of this Court.

2. That the said Leonard C. Haines shall have reasonable rights of visitation with said minor child of the parties, and in accordance with their agreement, he shall specifically have the child on visits every other weekend from noon Saturday until 6:00 o'clock p.m. Sunday, beginning on Saturday, May 30, 1970, and he shall also have the child with him for a period of two weeks during each summer, the two weeks to be designated by him by giving the Defendant thirty days notice prior to the beginning thereof, subject to the further order of the Court.

Filed - June 3, 1970

3. That the said Leonard C. Haines pay unto the said Mary Grace Haines the sum of Twenty-five Dollars (\$25.00) per week by way of support for said infant child, Michael Allan Haines, in accordance with the Decree of this Court dated July 24, 1969 in Equity Cause no. 11496, subject to the further order of the Court.

And it is further ordered that the Plaintiff, Leonard C. Haines, pay the cost of these proceedings as taxed by the Clerk of this Court.

E. O. Weant, Jr.
E. O. Weant, Jr.
Associate Judge

IRVIN K. WEST *

Plaintiff *

vs. *

LINDA S. WEST *

Defendant *

IN THE

CIRCUIT COURT

FOR

CARROLL COUNTY

Equity No. 11870

DECREE OF DIVORCE

Plaintiff's Bill of Complaint herein having been filed on April 27, 1970, Defendant, a minor, having been duly summoned and having duly filed her Answer to said Bill admitting the allegations therein, Defendant's mother, Mae B. Snyder, having been duly served and having answered, the said Bill of Complaint having come on for hearing, Plaintiff having appeared together with corroborating witness, and having offered testimony before this Court, Defendant having appeared in person and by counsel appointed by this Court, good cause appearing therefor, it is this 5th day of June, 1970, by the Circuit Court for Carroll County. in Equity, ORDERED, ADJUDGED and DECREED that Irvin K. West, Plaintiff, be and he is hereby divorced a vinculo matrimonii from Linda S. West, Defendant;

And it is further ORDERED, ADJUDGED and DECREED that the guardianship and custody of Tammy Jean West, the infant child of the parties, be and the same is hereby awarded to Linda S. West, Defendant, with the right to the Plaintiff to visit with said child at reasonable times, and that Plaintiff pay to Defendant the sum of Fifteen Dollars (\$15.00) per week as support for Tammy Jean West, the infant child of the parties. said payments to be made through the office of the Clerk of this Court, all subject to the continuing jurisdiction of this Court;

And it is further ORDERED, ADJUDGED and DECREED that Plaintiff pay unto Marker J. Lovell, attorney for Defendant, the sum of Fifty Dollars (\$50.00) toward his counsel fee, and pay the costs of these proceedings.

E. O. WEANT, JR., Judge

Filed - June 5, 1970

MARY ROXANNA OLIVER	1	NO. 1150 EQUITY
Plaintiff	1	IN THE
-v-	1	CIRCUIT COURT
FLOYD RAY OLIVER	1	FOR
Defendant.	1	CARROLL COUNTY

OPINION AND DECREE

Mary Roxanna Oliver, Plaintiff, has filed suit against Floyd Ray Oliver, Defendant, seeking a divorce a vinculo matrimonii on the ground of voluntary separation. She further seeks the guardianship and control of the infant children, Dinah Faye Oliver and Brenda Pauline Oliver, as well as support for them.

The Defendant admits the voluntary separation but as a defense to the support requested for Dinah Faye Oliver he denies paternity. The question of the support and guardianship of Brenda Pauline Oliver is moot since it was shown that she is now married.

The testimony showed that the parties hereto had entered into a voluntary separation agreement and that they had lived separate and apart for more than eighteen months prior to the commencement of this suit. The proof further showed that there was no reasonable hope or expectation of reconciliation between the Plaintiff and the Defendant.

The only real dispute is over the support of Dinah Faye Oliver. This question of support rests on whether or not the Defendant is the father of this child. The Plaintiff unequivocally states that the Defendant is the father of Dinah Faye Oliver. Although now denying the fact, the Defendant previously admitted

Filed - June 10, 1970

by way of the separation agreement dated March 29, 1967, and filed herein as Plaintiff's Exhibit No. 2, that he was the father of the child Dinah Faye. Paragraph 2 of said agreement contains the statement " . . . that the Wife shall have the care, custody, guardianship and control of the infant children of the parties hereto, namely, Dinah Faye, aged 15, and Brenda Pauline, aged 14 and that he (Floyd Ray Oliver) will pay unto the said Wife the sum of \$10.00 per week per child for the support of the infant children of the parties hereto . . ." (Emphasis added). The testimony showed that the Defendant for some time did pay Ten Dollars per week for the support of Dinah Faye Oliver. We do not think that he can now come into Court and successfully deny the paternity of the child whom he has previously supported and admitted to be his own child in a written agreement under seal.

Since there appears to be no accusation that the mother is not fit to take care of Dinah Faye and since the father is not seeking custody, we will award the custody of this child to Mary Roxanna Oliver.

It is thereupon, this 10th day of June, 1970, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that Mary Roxanna Oliver, Plaintiff, be, and she is hereby divorce a vinculo matrimonii from Floyd Ray Oliver, Defendant. It is further ORDERED that Mary Roxanna Oliver be, and she is hereby, awarded the care, custody and control of the infant child of the parties, namely, Dinah Faye Oliver; it is also ORDERED that the said Floyd Ray Oliver pay unto the said Mary Roxanna Oliver the sum of Ten Dollars (\$10.00) per week for the support of Dinah Faye Oliver until she reaches the age of twenty-one, becomes self-supporting, marries or dies.

It is further ORDERED that the Defendant, Floyd Ray Oliver, pay the costs of these proceedings, as taxed by the Clerk of this Court.


Associate Judge.

PEGGY LORRAINE JOHNSON
Plaintiff
vs
ROBERT EDGAR JOHNSON
Defendant

No. 11710 Equity
in the
Circuit Court
for
Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 14th day of June, Nineteen Hundred and Seventy, that the above-named Plaintiff, Peggy Lorraine Johnson, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, the said Robert Edgar Johnson; and

it is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Sheryl Lynn Johnson, Robert Wayne Johnson, and Melissa Kay Johnson, the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Peggy Lorraine Johnson, with the right unto the Defendant, Robert Edgar Johnson, to visit said children at reasonable times and under proper circumstances pursuant to the terms and conditions of the Stipulation and Consent to Decree executed by the parties on December 5, 1969; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Robert Edgar Johnson, pay direct unto the Plaintiff, Peggy Lorraine Johnson, the sum of \$17.00 per week per child subject to a reduction to \$8.50 per week per child in the event of her remarriage, pursuant to the terms and conditions of the Stipulation and Consent to Decree executed by the parties on December 5, 1969; subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the other pertinent terms of the Stipulation and Consent to Decree by and between the parties hereto, dated December 5, 1969, and filed in this cause of action, be and they are hereby approved and made a part hereof as

Filed June 16, 1970

if fully set forth herein;

And it is further ADJUDGED, ORDERED and DECREED that the Defendant, Robert Edgar Johnson, pay the cost of these proceedings.

E. D. Mandy
Judge

DOROTHY P. WHITEHURST : NO. 11585 EQUITY
 Plaintiff : IN THE
 vs. : CIRCUIT COURT
 ROBERT H. WHITEHURST : FOR
 Defendant : CARROLL COUNTY

The above entitled cause having been remanded to this Court for the passage of a decree in accordance with an opinion of the Court of Appeals of Maryland, dated May 5, 1970, it is therefore, this 27th day of July, 1970, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED AND DECREED that Dorothy P. Whitehurst, Plaintiff, be and she is hereby divorced a mensa et thoro from the Defendant, Robert H. Whitehurst. It is further ORDERED that the infant children of the parties, namely, Patricia Ann Whitehurst, Deborah Jean Whitehurst and Roberta Harrison Whitehurst be, and the same are hereby awarded to Dorothy P. Whitehurst. It is further ordered that Robert H. Whitehurst pay unto the said Dorothy P. Whitehurst the sum of Twenty-five Dollars (\$25.00) per week per child for support and maintenance of said children and the further sum of Twenty-Five Dollars (\$25.00) per week as alimony. In addition to the support payments and alimony the said Robert H. Whitehurst shall pay all extraordinary medical and dental expenses for said Dorothy P. Whitehurst and said children. It is further ORDERED that Robert H. Whitehurst shall have reasonable visitation rights with the said minor children. It is further ORDERED that the Defendant,

Filed June 29, 1970

Robert H. Whitehurst, pay the costs of these proceedings, as taxed by the Clerk of this Court, as well as the costs of this cause in the Court of Appeals of Maryland, including the sum of Four Hundred Dollars (\$400.00) heretofore ordered to be paid to counsel for Plaintiff for their services on appeal.

[Signature]
 Judge.

JAMES RALPH MULLER : No. 11805 Equity
 Plaintiff : in the
 vs : Circuit Court
 MARY BERNADETTE MULLER : for
 Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court;

WHEREUPON IT IS ORDERED this 1st day of July, Nineteen Hundred and Seventy, that the above-named Plaintiff, James Ralph Muller, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Mary Bernadette Muller; and

It is further ADJUDGED, ORDERED and DECREED that the Decree in Juvenile Case No. 2000 in the Circuit Court for Carroll County as to custody of the minor children of the parties and support therefor be adopted in this cause, except that James Ralph Muller pay to the Carroll County Department of Social Services the sum of \$25.00 per week instead of \$15.00 per week as set out in said Decree; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, James Ralph Muller, pay the cost of these proceedings.

E. C. [Signature]
 Judge

Filed - July 1, 1970

ELISABETH LEE : NO. 11807 EQUITY
 Plaintiff : IN THE
 -v- : CIRCUIT COURT
 CARL LEE : FOR
 Defendant : CARROLL COUNTY

OPINION AND DECREE

The Plaintiff, Elisabeth Lee, is seeking a divorce from her husband, Carl Lee, Defendant. She alleges abandonment and desertion. She seeks also the custody of the two infant children of the parties, namely, Carl Lee, Jr., aged 9, and Peter S. Lee, aged 6, and support money for the children. We find no request for alimony.

Testimony was taken and we talked with young Carl. We find that the Defendant is a seaman who has spent a greater part of his married life on the high seas. The proof shows that when the Defendant is at home he exhibits vicious and cruel tendencies toward his children as well as his wife. He has several times threatened to kill his wife and his children. They appear definitely afraid of him. The Plaintiff claims that the Defendant abandoned her in July of 1968, after which she moved from the house in which they had been living.

The Defendant denies the abandonment in July of 1968, and apparently bases his denial on the ground that he was on the high seas in July of '68. We note by his shipping orders that he shipped out May 19, 1968, and was discharged August 15, 1968, after which he had orders showing a shipping date of August 16, '68, and a discharge of August 18, '68, followed by orders for a shipping date of August 19, 1968, and a discharge of October 14, 1968. Regardless of the accuracy of the exact date of abandonment, we are convinced

Filed - July 10, 1970

from the testimony of the Plaintiff and the child, Carl Lee, Jr., that the Defendant did desert the family first constructively and then actually. We also find that the desertion has been uninterrupted for over 18 months and that there is no reasonable expectation of reconciliation.

The Defendant is not situated to have the care and custody of the infant children of the parties nor is he seeking their custody. The Plaintiff, the mother of the children, has not been shown to be unfit and hence the custody of the children should be given to her. Hild v. Hild, 221 Md., 349; Cornwell v. Cornwell, 244 Md., 674. We will, therefore, award the custody to the mother and order the Defendant to pay maintenance and support for the said children.

It is thereupon, this 10th day of July, 1970, by the Circuit Court for Carroll County, ADJUDGED, ORDERED and DECREED that Elisabeth Lee be, and she is hereby, divorced a vinculo matrimonii from Carl Lee. It is further ORDERED that the care and custody of the two infant children of the parties, namely, Carl Lee, Jr. and Peter S. Lee, be awarded to the said Elisabeth Lee, with reasonable rights of visitation on the part of Carl Lee, and that the said Carl Lee pay unto the said Elisabeth Lee the sum of Twenty-five Dollars (\$25.00) per week per child until each shall marry, become 21 years of age, self-supporting, or die.

It is further ORDERED that the Defendant, Carl Lee, pay the costs of these proceedings, as taxed by the Clerk of this Court.

E. O. Weant, Jr.
Associate Judge

-2-

DEBORAH ANN GROSSNICKLE, Infant, by Audrey G. Hoy, Mother and Next Friend	Plaintiff	IN THE CIRCUIT COURT FOR CARROLL COUNTY Equity No. 11812
Vs.		
GERRY S. GROSSNICKLE	Defendant	

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court.

WHEREUPON IT IS ORDERED this 12th day of July, Nineteen Hundred and Seventy, that the above-named Plaintiff, DEBORAH ANN GROSSNICKLE, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, GERRY S. GROSSNICKLE; and

It is further ORDERED, ADJUDGED and DECREED that the name of the Plaintiff, Deborah Ann Grossnickle, be and the same is hereby changed to Deborah Ann Hoy, her maiden name before her marriage to the Plaintiff; and

The original proposed Decree in these proceedings having provided that Defendant pay the costs, and the costs having now been paid by the Plaintiff, It is further ORDERED, ADJUDGED and DECREED that a judgment of EIGHTY ONE DOLLARS (\$81.00) be entered in favor of Plaintiff against the Defendant for the costs of these proceedings.

E. O. Weant, Jr.
Judge

FILED JUL 10 1970

Filed-July 10, 1970

HENRY JACKSON MC FARLANE	:	No. 11808 Equity
Plaintiff	:	in the
vs	:	Circuit Court
CATHERINE CUNNINGHAM MC FARLANE	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 14th day of July, Nineteen Hundred and Seventy, that the above-named Plaintiff, Henry Jackson McFarlane, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Catherine Cunningham McFarlane; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Henry Jackson McFarlane, pay the cost of these proceedings.

E. O. Weant, Jr.
Judge

FILED JUL 14 1970

Filed-July 14, 1970

BETTY MATHIAS COFFEY	:	No. 11794 Equity
Plaintiff	:	in the
vs	:	Circuit Court
LEONARD GEORGE COFFEY	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 17th day of July, Nineteen Hundred and Seventy, that the above-named Plaintiff, Betty Mathias Coffey, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Leonard George Coffey; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Betty Mathias Coffey, pay the cost of these proceedings.

E. O. Weant, Jr.
Judge

Filed-July 17, 1970

DAVID LEE BLIZZARD	:	No. 11631 Equity
Plaintiff	:	in the
vs	:	Circuit Court
BETTY MAE BLIZZARD	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 17th day of July, Nineteen Hundred and Seventy, that the above-named Plaintiff, David Lee Blizzard, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Betty Mae Blizzard.

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of David Lee Blizzard, Jr., the infant child of the parties hereto, be and it is hereby awarded unto the Defendant, Betty Mae Blizzard, with the right unto the Plaintiff, David Lee Blizzard, to visit said child at reasonable times and under proper circumstances, all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, David Lee Blizzard, pay to the Defendant, Betty Mae Blizzard, through the Clerk of the Court, the sum of \$15.00 per week for the support of the child, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, David Lee Blizzard, pay the cost of these proceedings.


 E. O. WOOD
 JUDGE

MILDRED C. BENNETT	:	No. 11875 Equity
Plaintiff	:	in the
vs	:	Circuit Court
JOHN R. BENNETT	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 17th day of July, Nineteen Hundred and Seventy, that the above-named Plaintiff, Mildred C. Bennett, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, John R. Bennett; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Mildred C. Bennett, pay the cost of these proceedings.


 E. O. WOOD
 JUDGE

Filed - July 17, 1970

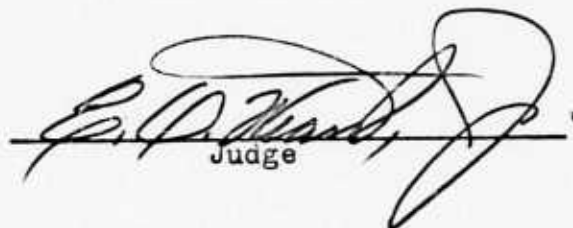
LARRY D. WARD	:	No. 11895 Equity
Plaintiff	:	in the
vs	:	Circuit Court
SHARON B. WARD	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 17th day of July, Nineteen Hundred and Seventy, that the above-named Plaintiff, Larry D. Ward, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Sharon B. Ward; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Larry D. Ward, pay the cost of these proceedings.


Judge

Filed - July 17, 1970

DOROTHY LOUISE GARVER	:	No. 11795 Equity
Plaintiff	:	in the
vs	:	Circuit Court
CARL OTTO GARVER	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 20th day of July, Nineteen Hundred and Seventy, that the above-named Plaintiff, Dorothy Louise Garver, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Carl Otto Garver; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Duane Garver, the infant child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Dorothy Louise Garver, with the right unto the Defendant, Carl Otto Garver, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Carl Otto Garver, pay to the Plaintiff, Dorothy Louise Garver, through the Clerk of the Court, the sum of \$25.00 per week toward the support of the child, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Dorothy Louise Garver, shall have as her own separate property the following items of personal property of the parties hereto: suitcase, high school year books, pots and pans, dishes, silverware, kitchen utensils, toaster, electric can opener, refrigerator,

Filed July 29, 1970

electric frying payn, vacuum cleaner, slide projector and screen, living room furniture, kitchenette and four chairs, electric reducing vibrator, electric mixer, iron and ironing board; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Carl Otto Garver, pay the cost of these proceedings.

E. D. Ward
Judge

CLARA M. MAYS	:	No. 11757 Equity
Plaintiff	:	in the
vs	:	Circuit Court
JOHN LINWOOD MAYS, SR.	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 21st day of July, Nineteen Hundred and Seventy, that the above-named Plaintiff, Clara M. Mays, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, John Linwood Mays, Sr.; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Clara M. Mays, pay the cost of these proceedings.

E. D. Ward
Judge

Filed July 21, 1970

OTIS WILLIAMS	:	No. 11835 Equity
Plaintiff	:	in the
vs	:	Circuit Court
FAY ANN WILLIAMS	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 21st day of July, Nineteen Hundred and Seventy, that the above-named Plaintiff, Otis Williams, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Fay Ann Williams; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Otis Williams, pay the cost of these proceedings.

E. O. [Signature]
Judge

Filed July 20, 1970

ROBERT HAROLD BENNETT	:	No. 11858 Equity
Plaintiff	:	in the
vs	:	Circuit Court
TRUDY MAY BENNETT	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 21st day of July, Nineteen Hundred and Seventy, that the above-named Plaintiff, Robert Harold Bennett, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Trudy May Bennett; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of April Lynn Bennett, the infant child of the parties hereto, be and it is hereby awarded unto the Defendant, Trudy May Bennett, with the right unto the Plaintiff, Robert Harold Bennett, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Robert Harold Bennett, pay direct unto the Defendant, Trudy May Bennett, the sum of \$20.00 per week toward the support of the minor child, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Robert Harold Bennett, pay the cost of these proceedings.

E. O. [Signature]
Judge

Filed July 21, 1970

GAIL H. PIERNE	:	In the
Plaintiff	:	Circuit Court
vs	:	for
ROBERT PIERNE	:	Carroll County
Defendant	:	Equity No. 11865
	:	22/62

DECREE OF DIVORCE

This cause standing ready for hearing, testimony having been heard in open court, and being submitted,

It is thereupon, this 31st day of July, 1970, by the Circuit Court for Carroll County, in equity, ADJUDGED, ORDERED and DECREED that the said Gail H. Pierne, the above-named Plaintiff, be and she is hereby divorced a vinculo matrimonii from the Defendant, Robert Pierne; and

It is further ORDERED that the name of the Plaintiff, Gail H. Pierne, be and the same is hereby changed to Gail Hartley Ebaugh, her maiden name before her marriage to the Defendant; and

It is further ORDERED that the said Plaintiff pay the costs of these proceedings.

E. O. Ward Jr.
Judge

Filed July 31, 1970

DORIS MAY BULL	:	No. 11684 Equity
Plaintiff	:	In the
vs	:	Circuit Court
AMOS RICHARD BULL, JR.	:	for
Defendant	:	Carroll County

DECREE OF DIVORCE

This cause standing ready for hearing, testimony having been heard in open court, and being submitted,

It is thereupon, this 31st day of July, 1970, by the Circuit Court for Carroll County, in equity, ADJUDGED, ORDERED and DECREED that the said Doris May Bull, the above-named Plaintiff, be and she is hereby divorced a vinculo matrimonii from the Defendant, Amos Richard Bull, Jr.

And it is further ORDERED that the said Defendant pay the costs of this proceeding.

E. O. Ward Jr.
Judge

Filed July 31, 1970

RUTH L. BARBER

Plaintiff

Vs.

SAMUEL F. BARBER

Defendant

Cross-Plaintiff

Vs.

RUTH L. BARBER

Cross-Defendant

IN THE

CIRCUIT COURT

FOR

CARROLL COUNTY

Equity No. 11738

DECREE OF DIVORCE

UPON consideration of the Bill of Complaint, Answer, Replication, Cross-Bill and Answer thereto, the parties having appeared before this Court on March 6, 1970, testimony having been adduced by Plaintiff with corroborating evidence, the parties having subsequently executed a Property Settlement Agreement, copy of which has been filed in these proceedings, counsel having been heard, it is this 3rd day of August, 1970, by the Circuit Court for Carroll County, in Equity, ORDERED, ADJUDGED and DECREED that Ruth L. Barber, Plaintiff, be and she is hereby divorced a vinculo matrimonii from Samuel F. Barber, Defendant;

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that the guardianship and custody of Sharon Barber, the infant child of the parties, be and the same is hereby awarded to Ruth L. Barber, Plaintiff, with reasonable rights of visitation with Samuel F. Barber, Defendant, the said Samuel F. Barber to pay the sum of TWENTY FIVE DOLLARS (\$25.00) per week to Ruth L. Barber for the support and maintenance of said child until she reaches the age of twenty-one (21) years, marries or becomes self-supporting, the Defendant having further agreed to pay for the college tuition and books of Sharon Barber.

Filed - Aug 3, 1970

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Property Settlement Agreement is hereby approved as a part of this Decree.

AND IT IS FURTHER ORDERED, ADJUDGED and DECREED that Defendant's Cross-Bill of Complaint be and it is hereby dismissed, Defendant to pay all costs of these proceedings.

E. O. Weant, Jr., Judge

Approved as to Form:

WILLIAM B. DULANY
STANFORD HOFF

HERMAN L. THOMAS : NO. 11876 EQUITY
 Plaintiff : IN THE
 vs. : CIRCUIT COURT
 MARIAN E. THOMAS : FOR
 Defendant : CARROLL COUNTY
 : DOCKET NO. 22, folio 69

DECREE

Testimony having been taken in open Court and the Court being satisfied that the parties hereto have lived separate and apart without any cohabitation and without interruption for more than five years prior to the filing of the Bill of Complaint:

IT IS THIS 5th day of August, 1970, by the Circuit Court for Carroll County, in Equity, ORDERED and DECREED that the above named Plaintiff, Herman L. Thomas, be and is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Marian E. Thomas; and

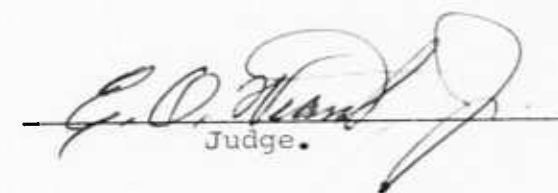
IT IS further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Deborah Lee Thomas, infant child of the parties hereto, be and is hereby awarded unto the Defendant, Marian E. Thomas, with the right unto the Plaintiff, Herman L. Thomas, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

Filed - Aug. 5, 1970

IT IS further ADJUDGED, ORDERED AND DECREED that the Plaintiff, Herman L. Thomas, pay unto the Defendant, Marian E. Thomas, the sum of \$25.00 per week for the support of the child, said weekly payments to be paid directly to the Clerk of the Circuit Court for Carroll County; subject to the further order of this Court; and

IT IS further ADJUDGED, ORDERED AND DECREED that the pertinent terms of the Stipulation and Consent To Decree by and between the parties hereto, dated July 31, 1970, and filed in this cause of action, be and are hereby approved and made a part hereof as if fully set forth herein; and pursuant thereto, the Plaintiff, Herman L. Thomas, is hereby ORDERED to make minimum payments of \$20.00 per month directly to the Clerk of the Circuit Court for Carroll County until the debt owed to Liberty Loan Corporation amounting to \$387.20, the sole responsibility for which he has assumed, has been paid in full; and

IT IS further ADJUDGED, ORDERED AND DECREED that the Plaintiff, Herman L. Thomas, pay the cost of these proceedings.


 Judge.

DONALD H. BEARD	↓	NO. 11799 EQUITY
Plaintiff	↓	IN THE
-v-	↓	CIRCUIT COURT
JANE B. BEARD	↓	FOR
Defendant.	↓	CARROLL COUNTY.

OPINION AND DECREE

The Plaintiff herein, Donald H. Beard, has filed a suit for divorce a vinculo matrimonii from the Defendant, Jane B. Beard. He alleges voluntary separation as the grounds for the divorce he seeks.

The Defendant admits the voluntariness of the separation but is seeking support for their minor child, Karen Beard, as well as a reasonable attorney's fee for her counsel.

The proof showed that the parties entered into a voluntary separation agreement. It is dated July 25th, 1968. The proof further showed that they have not cohabitated since then and that there is no reasonable expectation of their being reconciled. The three elements making up the requirements for a divorce a vinculo matrimonii on the ground of voluntary separation have been proved and corroborated, namely; an expressed mutual agreement between the parties to separate accompanied by a mutual intent not to resume the marriage relationship, the voluntary living apart without cohabitation for at least eighteen months and the fact that there is no reasonable hope or expectation of reconciliation. We are, therefore, justified in granting the divorce sought by the Plaintiff.

The only real contention in this case arises over the support to be paid by the Plaintiff to the Defendant for their

Filed - Aug. 19, 1970

infant daughter. The separation agreement previously mentioned provides for payment of Thirty Dollars per week for this purpose. The Defendant alleges that this is insufficient for her to meet the needs of the child.

The Defendant has a net take-home pay of Fifty-five Dollars per week through her employment with the Carroll County Commissioners. The Plaintiff seems to have a net take-home pay of approximately One Hundred, Seventy Dollars per week.

As mentioned, the separation agreement calls for the payment by the husband to the wife for the support of the child of the sum of Thirty Dollars per week. It also calls for the payment of One Thousand Dollars per year toward the expense of the infant's college education. This, we understand, will commence this fall. The husband is also obliged to keep in force the Blue Cross and Blue Shield insurance for the family. He also makes payments on the mortgage covering the house of Fifty Dollars per week. This includes insurance.

The parties plan on selling their house next year and at that time will divide the proceeds, 75% to the Defendant and 25% to the Plaintiff. It is indicated that he can expect approximately Four Thousand Dollars as his share and she approximately Twelve Thousand Dollars. Of course, at that time, it will be necessary for the Defendant to seek another place to live. This will, no doubt, increase her expenses but this transition has not yet occurred.

Article 16, Section 28, provides for revision by the courts of agreements entered into for support of minor children such as we have here. In so doing the courts are to keep in mind that such revisions are to be made "looking always to the best

interests of such infants". In the case of Wagshal v. Wagshal, 249 Md. 143, at 147, the Court of Appeals stated the following regarding awards for support of children:

"The principle considerations in making an award for the support of a child are the need of the child and the financial circumstances of the father of the child. The child's station in life is to be considered in connection with the needs of the particular child."

It is obvious to us that the needs of the child in question in this case have increased since the execution of the aforementioned agreement. This fall she will be a college student which, of course, will call for increased expenses. She is an attractive young lady whose cultural interests have undoubtedly broadened as she has matured. If the father can afford an increase in payments toward this end, and we think he can, we feel constrained to grant it. We have carefully considered all of the expenses of both parties, as well as the income, and it is our opinion that the Plaintiff can afford to pay an increase of Five Dollars a week toward the support of his daughter. It is hoped that when the house is disposed of and the Plaintiff will no longer be obliged to make payments on the house that the parties will be able to arrive at some agreement for additional payments at that time to supplement the bill which the Defendant will have from month to month for the purpose of renting suitable quarters for the child.

In addition, we feel that the Plaintiff should pay under paragraph 17 of the agreement the sum of One Hundred, Seventy-five Dollars as attorney's fees for the Defendant. We cannot read this item in anyway other than so as to mean that the parties had agreed that the person filing for divorce would pay the entire costs, including "attorney's fees".

It is thereupon, this 19th day of August, 1970, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that Donald H. Beard, Plaintiff, be, and he is hereby, divorced a vinculo matrimonii from the Defendant, Jane B. Beard. It is further ORDERED that the said Jane B. Beard be awarded the care and custody of the child of the parties, Karen Beard, with reasonable visitation rights on the part of Donald H. Beard, and that the said Donald H. Beard pay unto the said Jane B. Beard the sum of Thirty-five Dollars (\$35.00) per week for the support and maintenance of said child, until she shall arrive at the age of 21, marry, become self-supporting or die. It is also ORDERED that the said Donald H. Beard pay unto the attorney for the said Jane B. Beard as services rendered on behalf of the Defendant herein, the sum of One Hundred, Seventy-five Dollars (\$175.00).

It is further ORDERED that the Plaintiff, Donald H. Beard, pay the costs of these proceedings, as taxed by the Clerk of this Court.


Associate Judge

HOWARD L. KONTZ, | NO. 11894 EQUITY
 | IN THE
 | CIRCUIT COURT
 | FOR
 PATRICIA A. KONTZ | CARROLL COUNTY.
 |

MEMORANDUM ORDER

Howard L. Kontz, Plaintiff, is seeking a divorce herein from Patricia A. Kontz, Defendant, alleging a voluntary separation as grounds therefor. He also seeks care and custody of the minor child of the parties, namely, Shawn Kontz.

The divorce was uncontested. The fact of the voluntary agreement, the living apart for 18 months and the lack of any hope of reconciliation have been proved. We are, therefore, justified in granting the divorce as prayed. However, the care and custody of the infant child poses a greater problem and we will defer any decision on this matter pending our further investigation.

It is thereupon, this 24th day of August, 1970, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that Howard L. Kontz, Plaintiff, be, and he is hereby, divorced a vinculo matrimonii from Patricia A. Kontz, Defendant. It is further ORDERED that the order of this Court dated April 3, 1970, in Equity No. 11817, awarding temporary custody of the infant child of the parties, Shawn Kontz, to Howard L. Kontz, be continued pending further investigation by this Court.

It is further ORDERED that the Plaintiff, Howard L. Kontz, pay the costs of these proceedings, as taxed by the Clerk of this Court.

E. P. [Signature]
 Associate Judge.

Filed Aug 24, 1970

HENRY N. INGLE : In the
 : Circuit Court
 : for
 : Carroll County
 CATHERINE L. INGLE : No. 11913 Equity
 : 22/91
 :

DECREE OF DIVORCE

This cause standing ready for hearing, testimony having been heard in open court, and being submitted,

It is thereupon, this 26th day of August, 1970, by the Circuit Court for Carroll County, in equity, ADJUDGED, ORDERED and DECREED that the said Henry N. Ingle, the above-named Plaintiff, be and he is hereby divorced a vinculo matrimonii from the Defendant, Catherine L. Ingle.

And it is further ORDERED that the said Plaintiff pay the costs of this proceeding.

E. P. [Signature]
 Judge

Filed Aug 28, 1970

LORRAINE JEANNETTE FOWLE	:	No. 11476 Equity
Plaintiff	:	in the
vs	:	Circuit Court
EDGAR DAVID FOWLE	:	for
Defendant	:	Carroll County

DECREE

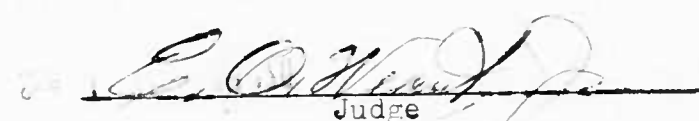
This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 1st day of September, Nineteen Hundred and Seventy, that the above-named Plaintiff, Lorraine Jeannette Fowle, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Edgar David Fowle; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Roxanne Cheryl Fowle, Susan Denise Fowle, Jeffrey Scott Fowle and Steven Fowle, the minor children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Lorraine Jeannette Fowle, with the right unto the Defendant, Edgar David Fowle, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Edgar David Fowle, pay to the Plaintiff through the Clerk of the Court, the sum of \$10.00 per week per child, for a total of \$40.00 per week, towards their support, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Lorraine Jeannette Fowle, pay the cost of these proceedings.


Judge

Filed - Sept 1, 1970

ALBERT NEWMAN	:	No. 11878 Equity
Plaintiff	:	in the
vs	:	Circuit Court
EDITH G. M. NEWMAN	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 1st day of September, Nineteen Hundred and Seventy, that the above-named Plaintiff, Albert Newman, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Edith G. M. Newman; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Ivy Newman, Carolyn L. Newman and David W. Newman, the minor children of the parties hereto, be and it is hereby awarded unto the Defendant, Edith G. M. Newman, with the right unto the Plaintiff, Albert Newman, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Albert Newman, pay direct unto the Defendant, Edith G. M. Newman, the sum of \$50.00 per child per month, for a total of \$150.00 per month, toward their support, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the pertinent terms of the Agreement by and between the parties hereto dated October 3, 1968 and filed in this cause of action, be and they are hereby approved and made a part hereof as if fully set forth herein; and

Filed - Sept 1, 1970

SEP 4 1970 4:11

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff,
Albert Newman, pay the cost of these proceedings.

L. O. Ward
Judge

SEP 4 1970 4:12

BARBARA ANN AUSERMAN		NO. 11907 EQUITY
Plaintiff,		IN THE
-v-		CIRCUIT COURT
BERNARD L. AUSERMAN		FOR
Defendant		CARROLL COUNTY

OPINION AND DECREE

In this case, Barbara Ann Auserman, Plaintiff, is suing Bernard L. Auserman, Defendant, for a divorce a mensa et thoro based on constructive desertion. She also seeks the guardianship and custody of the infant children of the parties, as well as alimony and support and maintenance for herself and the children and compensation for her attorney.

The Plaintiff claims that the Defendant has treated her in such a cruel and vicious manner that it was detrimental to her health and safety. She claims that he had assaulted her on several occasions to such an extent that it was necessary for her to go to a doctor for treatment. Her doctor, Doctor Edward Thompson, testified that on at least three occasions he had seen multiple bruises over her body including her throat, arms, left eye, knee and had been consulted by her for pains in the rib area and back. The Plaintiff's mother testified that she had heard the Defendant threaten her daughter. It was the uncontradicted testimony that the wife had twice had her husband arrested and that he was convicted both times. She said that he had threatened her life several times and had used profane language toward her and the children in the children's presence. The Plaintiff testified that as a result of this treatment she was afraid to sleep with the Defendant and was forced to leave his bed.

Filed - Sept 1, 1970

There was proof adduced by the Plaintiff to the effect that the Defendant had been more than just an acquaintance of a Mrs. June Eyler. In fact, Mrs. Eyler gave the Defendant Twelve Hundred Dollars to buy an automobile some time in June of 1970. His explanation of this is that his back was against the wall and she was a friend. The uncontradicted evidence also indicated that the Defendant had been caught in a compromising position with another woman nine months after the marriage of the parties hereto and that the marriage had been stormy ever since. While it is entirely possible that the Plaintiff was not always as demure and full of milk and honey as she appeared on the witness stand because of her suspicions of the Defendant's unfaithful conduct with other women, we cannot think that her conduct toward her husband would have justified the assaults which he administered to her from time to time. While he denies ever striking his wife and states that he merely held her when she attempted to assault him, we find this incredible considering the physical injuries that were testified to by the doctor. The Defendant admits to having a bad temper and it is our belief that his actions as a result thereof did justify the Plaintiff's feeling that her health and safety were endangered by the Defendant.

The Defendant's attorney argues that the claims of vicious and cruel treatment on the part of the Defendant was not corroborated and cites the case of Patzschke v. Patzschke, 249 Md. 53, as being in point. That case was somewhat similar to the case at bar but we find two very distinct differences in our case. The Patzschke case lacked the corroboration of the doctor as to the injuries sustained by the Plaintiff as well as it lacked the convictions for assault which the Defendant sustained in our case.

We think that there was corroboration of Mrs. Ausherman's claims sufficient to warrant our granting the divorce as prayed.

Since we find no proof that the Plaintiff is unfit to care for the children and since we do not find any real objection to the granting of the care and custody of the children of the parties to the Plaintiff, we will award them to her.

We now come to the consideration of alimony and support and maintenance. The Defendant, when he is working, admits to a take-home pay of \$108.96 which sum is arrived at after deductions which include a \$12.50 bond which he purchases each week. (This does not take into consideration the bar tending job which he pursues from time to time.) He has been paying Thirty Dollars a week to the Plaintiff for food and claims to have been taking care of other expenses for her such as payments on the house, telephone, gas and electricity. Since the parties are to be divorced at least partially and will no longer be residing in the same house, we do not feel that this arrangement would be satisfactory and that the Plaintiff should be awarded a sum of money sufficient to support her and the children. She does not work and it is doubtful with her health problem that she could work and take care of the children also. At the present time the Defendant is incapacitated by reason of a broken leg and is now receiving only \$87.00 per week which situation will exist for two more months according to his testimony.

Under the present circumstances it appears to this Court that the Defendant cannot pay to the Plaintiff anymore than Fifty Dollars per week until he returns to work. However, at that time he should be able to pay Ten Dollars per week per child (we understand that only four of the children are actually living with the Plaintiff) and Thirty-five Dollars per week for alimony for the

Plaintiff. The Bill of Complaint also asks for counsel fee and we will award the sum of One Hundred, Fifty Dollars toward the payment of the Plaintiff's counsel.

It is thereupon, this 1st day of September, 1970, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the Plaintiff, Barbara Ann Ausherman, be, and she is hereby, divorced a mensa et thoro from the Defendant, Bernard L. Ausherman. It is further ORDERED that the Plaintiff, Barbara Ann Ausherman, shall have the care and custody of the minor children of the parties, namely, Theresa A. Ausherman, Kelly Scott Ausherman, Hope Marie Ausherman, and Jeffrey Allen Ausherman, with reasonable rights of visitation on the part of the Defendant. The Defendant is ORDERED to pay Fifty Dollars (\$50.00) per week to the Plaintiff for alimony and support until November 1, 1970, at which time he is ORDERED to pay the sum of Ten Dollars (\$10.00) per week per child (a total of Forty Dollars (\$40.00) per week) for the support and maintenance of said children, until each child reaches the age of twenty-one, becomes self-supporting, marries or dies, whichever shall first occur, and an additional sum of Thirty-five Dollars (\$35.00) per week as alimony. It is also ORDERED that the Defendant pay to the Plaintiff's attorney the sum of One Hundred, Fifty Dollars (\$150.00) as counsel fees. It is further ORDERED that the Defendant, Bernard L. Ausherman, pay the costs of these proceedings, as taxed by the Clerk of this Court.

E. D. Munn Jr.
Associate Judge

GLORIA L. FARVER	:	No. 11864 Equity
Plaintiff	:	in the
vs	:	Circuit Court
FRED F. FARVER	:	For
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court;

WHEREUPON IT IS ORDERED this 3rd day of Sept, Nineteen Hundred and Seventy, that the above-named Plaintiff, Gloria L. Farver, be and she is hereby divorced "A VINICULO MATRIMONII" from the Defendant, the said Fred F. Farver; and

It is further ADJUDGED, ORDERED and DECREED that the provisions of the Decree in the Circuit Court for Carroll County, in Equity No. 11363, dated September 6, 1968, as to guardianship, custody and child support payments be adopted in this cause; and

It is further ADJUDGED, ORDERED and DECREED that a judgment be and the same is hereby entered in favor of Gloria L. Farver, Plaintiff, and against Fred F. Farver, Defendant, in the amount of \$665.00 with interest from June 12, 1970; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Fred F. Farver, pay the cost of these proceedings.

E. D. Munn Jr.
Judge

20 3 1970

Filed - Sept 3, 1970

GEORGIA L. WATTS
By PAULINE M. HAHN,
her Mother and Next Friend

Plaintiff

vs

LARRY JAMES WATTS

Defendant

No. 11826 Equity

in the

Circuit Court

for

Carroll County

DECREE

This cause standing ready for hearing and being submitted by

the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 10th day of SEPT, Nineteen Hundred and Seventy, that the above-named Plaintiff, Georgia L. Watts, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Larry James Watts; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Georgia L. Watts, pay the cost of these proceedings.

E. D. Hahn
Judge

256 10 4 10 AM '70

Filed - Sept 10, 1970

HERBERT L. BOLLINGER, JR.

Plaintiff

vs

VIOLA A. BOLLINGER

Defendant

No. 11855 Equity

in the

Circuit Court

for

Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 15th day of September, Nineteen Hundred and Seventy, that the above-named Plaintiff, Herbert L. Bollinger, Jr., be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Viola A. Bollinger; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Paula Grace Bollinger, Wanda Lynn Bollinger and Herbert Levester Bollinger, III, the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Herbert L. Bollinger, Jr., with visitation rights to the Defendant, Viola A. Bollinger, as set out in the Stipulation between the parties dated August 7, 1970; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Herbert L. Bollinger, Jr., pay the cost of these proceedings.

E. D. Hahn
Judge

256 12 8 11 AM '70

Filed Sept 15, 1970

HARRY T. SIBLE	:	No. 11898 Equity
Plaintiff	:	in the
vs	:	Circuit Court
HELEN B. SIBLE	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 15th day of September, Nineteen Hundred and Seventy, that the above-named Plaintiff, Harry T. Sible, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Helen B. Sible; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Harry T. Sible, pay the cost of these proceedings.

G. O. [Signature]
Judge

25-12 3-11-10

Filed Sept 15, 1970

EMILY D. AYERS	:	No. 11869 Equity
Plaintiff	:	in the
vs	:	Circuit Court
EDWARD P. AYERS	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 18th day of September, Nineteen Hundred and Seventy, that the above-named Plaintiff, Emily D. Ayers, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Edward P. Ayers; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Emily Lynn Ayers, the infant child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Emily D. Ayers, with the right unto the Defendant, Edward P. Ayers, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Edward P. Ayers, pay direct unto the Plaintiff, Emily D. Ayers, the sum of \$15.00 per week toward the support of the child, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Emily D. Ayers, pay the cost of these proceedings.

G. O. [Signature]
Judge

25-13 11-11-10

Filed - Sept 18, 1970

MARY MARGARET CARR	:	No. 11859 Equity
Plaintiff	:	in the
vs	:	Circuit Court
HARRY CARR, JR.	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 21st day of Sept., Nineteen Hundred and Seventy, that the above-named Plaintiff, Mary Margaret Carr, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Harry Carr, Jr.; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Wanda Jean Carr, minor child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Mary Margaret Carr, with the right unto the Defendant, Harry Carr, Jr., to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Harry Carr, Jr., pay direct to the Plaintiff, Mary Margaret Carr, the sum of \$25.00 per week toward the support of the minor child, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Harry Carr, Jr., pay the cost of these proceedings.


Judge

200 51
Filed-Sept-21, 1970

LILLIAN REGINA SMITH	:	No. 11854 Equity
Plaintiff	:	in the
vs	:	Circuit Court
LAWRENCE EDWARD SMITH	:	for
Defendant	:	Carroll County

DECREE

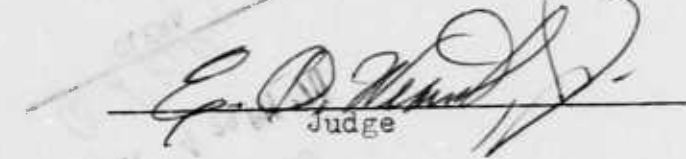
This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 22nd day of September, Nineteen Hundred and Seventy, that the above-named Plaintiff, Lillian Regina Smith, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Lawrence Edward Smith; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Virgie Irene Smith and Deborah Jean Smith, the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Lillian Regina Smith, with the right unto the Defendant, Lawrence Edward Smith, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Lawrence Edward Smith, pay direct unto the Plaintiff, Lillian Regina Smith, the sum of \$10.00 per week per child, for a total of \$20.00 per week, towards their support, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Lillian Regina Smith, pay the cost of these proceedings.


Judge

200 52
Filed Sept 22, 1970

LEONARD I. BROWN	:	No. 11882 Equity
Plaintiff	:	in the
vs	:	Circuit Court
BONNIE A. BROWN	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 22nd day of September, Nineteen Hundred and Seventy, that the above-named Plaintiff, Leonard I. Brown, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Bonnie A. Brown; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Guy I. Brown, the infant child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Leonard I. Brown, with the right unto the Defendant, Bonnie A. Brown, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Leonard I. Brown, pay the cost of these proceedings.

E. C. [Signature]
Judge

Filed Sept 23, 1970

RICHARD W. SINNOTT	:	No. 11922 Equity
Plaintiff	:	in the
vs	:	Circuit Court
MARGARET A. SINNOTT	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 22nd day of September, Nineteen Hundred and Seventy, that the above-named Plaintiff, Richard W. Sinnott, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Margaret A. Sinnott; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Kimberly Ann Sinnott, the infant child of the parties hereto, be and it is hereby awarded unto the Defendant, Margaret A. Sinnott, with the right unto the Plaintiff, Richard W. Sinnott, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Richard W. Sinnott, pay to the Defendant through the Clerk of the Court, the sum of \$20.00 ^{per week} toward the support of the child, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Richard W. Sinnott, pay the cost of these proceedings.

E. C. [Signature]
Judge

Filed Sept 23, 1970

LAURA H. HARRYMAN	:	No. 11871 Equity
Plaintiff	:	in the
vs	:	Circuit Court
HOWARD R. HARRYMAN	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 22nd day of September, Nineteen Hundred and Seventy, that the above-named Plaintiff, Laura H. Harryman, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Howard R. Harryman; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Laura H. Harryman, pay the cost of these proceedings.

E. O. [Signature]
Judge

Filed Sept 23, 1970

NEVIN M. UTZ	:	No. 11951 Equity
Plaintiff	:	in the
vs	:	Circuit Court
JUNE E. UTZ	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 22nd day of September, Nineteen Hundred and Seventy, that the above-named Plaintiff, Nevin M. Utz, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, June E. Utz; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Johnny Raymond Utz, the infant child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Nevin M. Utz, with the right unto the Defendant, June E. Utz, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Nevin M. Utz, pay the cost of these proceedings.

E. O. [Signature]
Judge

Filed Sept 23, 1970

FRANK A. RINGLEY	:	No. 11830 Equity
Plaintiff	:	in the
vs	:	Circuit Court
NOLA RUTH RINGLEY	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 23rd day of September, Nineteen Hundred and Seventy, that the above-named Plaintiff, Frank A. Ringley, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Nola Ruth Ringley; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Frank A. Ringley, pay the cost of these proceedings.

E. C. Ward, Jr.
Judge

255 33 11 30 AM '70

Filed Sept 23, 1970

CATHERINE ELIZABETH BYRD	:	No. 11909 Equity
Plaintiff	:	in the
vs	:	Circuit Court
CARROLL NORWOOD BYRD	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 23rd day of September, Nineteen Hundred and Seventy, that the above-named Plaintiff, Catherine Elizabeth Byrd, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Carroll Norwood Byrd; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Catherine Elizabeth Byrd, pay the cost of these proceedings.

E. C. Ward, Jr.
Judge

255 33 11 30 AM '70

Filed Sept 23, 1970

ANN DERR GREENE	:	No. 11549 Equity
Plaintiff	:	
vs	:	in the
JAMES A. GREENE	:	Circuit Court
.....	:	
JAMES A. GREENE	:	for
Cross-Plaintiff	:	
vs	:	Carroll County
ANN DERR GREENE	:	
Cross-Defendant	:	

DECREE

This cause standing ready for hearing and being submitted by the Cross-Plaintiff and Defendant, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 22nd day of September, Nineteen Hundred and Seventy, that the above-named Cross-Plaintiff, James A. Greene, be and he is hereby divorced "A VINCULO MATRIMONII" from the Cross-Defendant, Ann Derr Greene; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Barbara Ann Greene, one of the infant children of the parties hereto, be and it is hereby awarded unto the Cross-Plaintiff, James A. Greene, with the right of the Cross-Defendant, Ann Derr Greene, to visit said child at reasonable times and under proper circumstances; and that the guardianship and custody of Sharon Jean Greene, the other infant child of the parties hereto, be and it is hereby awarded unto the Cross-Defendant, Ann Derr Greene, with the right unto the Cross-Plaintiff, James A. Greene, to visit said child at reasonable times and under proper circumstances; all subject however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Cross-Plaintiff, James A. Greene, pay direct unto the Cross-Defendant, Ann Derr Greene, the sum of \$20.00 per week toward the support of the minor child, subject to the further Orders of this Court; and

Filed Sept 23, 1970

It is further ADJUDGED, ORDERED and DECREED that the terms of the Stipulation and Consent to Decree by and between the parties hereto dated August 14, 1970, and filed in this cause of action be and it is hereby approved and made a part hereof as if fully set forth herein; and

It is further ADJUDGED, ORDERED and DECREED that the Cross-Plaintiff, James A. Greene, pay the cost of these proceedings.

[Signature]
Judge

ROBERT LEE JOHNSON	:	No. 11516 Equity
Plaintiff	:	in the
vs	:	Circuit Court
WILLIE JEAN JOHNSON	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 22nd day of September, Nineteen Hundred and Seventy, that the above-named Plaintiff, Robert Lee Johnson, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Willie Jean Johnson; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Robert Lee Johnson, Jr., the infant child of the parties hereto, be and it is hereby awarded unto the Defendant, Willie Jean Johnson, with the right unto the Plaintiff, Robert Lee Johnson, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Robert Lee Johnson, pay direct to the Defendant, Willie Jean Johnson, the sum of \$10.00 a week toward the support of the child, subject to the further Order of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Robert Lee Johnson, pay the cost of these proceedings.

E. P. [Signature]
Judge

Filed Sept 22, 1970

MARGARET KIM	:	No. 11973 Equity
Plaintiff	:	in the
vs	:	Circuit Court
YONG H. KIM	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 22nd day of September, Nineteen Hundred and Seventy, that the above-named Plaintiff, Margaret Kim, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Yong H. Kim; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of David Kim and Suzanne Kim, the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Margaret Kim, with the right unto the Defendant, Yong H. Kim, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Yong H. Kim, pay direct unto the Plaintiff, Margaret Kim, the sum of \$99.50 per month per child, for a total of \$199.00 per month, toward their support, and \$1.00 per month alimony, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the pertinent parts of the Separation Agreement by and between the parties hereto dated March 7, 1970, and filed in this cause of action be and it is hereby approved and made a part hereof as if fully set forth herein; and

24-36 11-25-70 10

Filed - Sept 29, 1970

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Margaret Kim, pay the cost of these proceedings.

E. P. Ward Jr.
Judge

EVELYN CAROL ALDER		NO. 11887 EQUITY
Plaintiff		IN THE
-v-		CIRCUIT COURT
STOKE ALDER		FOR
Defendant.		CARROLL COUNTY.

OPINION AND DECREE

The Plaintiff herein, Evelyn Carol Alder, is seeking a partial divorce from her husband, Stoke Alder. She is also seeking care and custody of the infant child of the parties, namely, Steve Clayton Alder, as well as permanent alimony and support for the infant child.

It appears from the Bill of Complaint that the grounds for the divorce sought are cruelty and/or constructive desertion. Since the Plaintiff readily admits that the Defendant has never abused her physically and since we can find no other sufficient grounds to support a charge of cruelty, we must deny the divorce on this ground. The Court of Appeals has said many times that austerity of temper, petulance of manner, rudeness of language, or even sallies of passion, if they do not threaten bodily harm, do not constitute such cruelty.

We now consider the question of constructive desertion. The evidence shows that the major complaint of the Plaintiff is that of being over-worked. She claims to have been over-burdened with the farm chores, that she did the major part of taking care of the milking operation on the farm and took care of the house. She also alleges that her husband had told her to leave. The Defendant's reply to these allegations is that she did the work that she did because she liked it. He claims that she was never forced to take on the full milking operation and that he never wanted her

Filed Oct. 7, 1970

to leave. He insists that he would like to have her return. He also states that he has done his fair share of the farm work and that he has offered to sell the farm and go into some other kind of business. There is no testimony that the Defendant ever physically mistreated the Plaintiff or that she was ever forced to do more work than she was able other than her statement to the effect that if she didn't do the work it wouldn't get done.

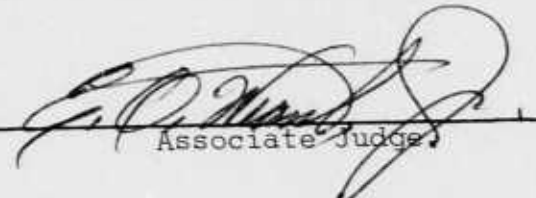
As a practical matter, the Plaintiff knew that she was marrying a farmer. She also was familiar with farm work and has been so engaged since the marriage of the couple over eleven years ago. It seems to us that she should have been aware of what would reasonably have been expected of her. If she was not able to carry on all of the chores, she could have done only so much as she was able. The only reason that we can find for her apparent willingness to exhaust herself physically with the farm chores is her statement that she was to do as her husband commanded. For whatever reason she felt so obliged, we cannot find from the evidence any legal justification nor physical persuasion that would require her to over-extend her physical exertions in carrying out her farm duties. It is our opinion that she would have been justified in doing less work but she was not justified in deserting her husband. The divorce must also be denied on the ground of constructive desertion.

Since there is no proof that the mother is not a fit and proper person to have the child, we will award the care and custody of Steve Clayton Alder to the mother, Evelyn Carol Alder, and require Stoke Alder to pay Fifteen Dollars (\$15.00) per week for the support of the child.

It is thereupon, this 7th day of October, 1970, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the Bill of Complaint for Divorce A Mensa Et Thoro

filed on behalf of the Plaintiff, Evelyn Carol Alder, be, and the same is hereby, Denied. It is further ORDERED that the Plaintiff shall have the care and custody of Steve Clayton Alder, with reasonable rights of visitation on the part of the Defendant. The Defendant is further ORDERED to pay to the Plaintiff the sum of Fifteen Dollars (\$15.00) per week for the support of the infant child.

It is further ORDERED that the Defendant, Stoke Alder, pay the costs of these proceedings, as taxed by the Clerk of this Court.


Associate Judge

NORTON JAMES TRESCOTT	§	NO. 11442 EQUITY
Plaintiff	§	IN THE
-v-	§	CIRCUIT COURT
MABEL ELIZABETH TRESCOTT	§	FOR
Defendant.	§	CARROLL COUNTY

OPINION AND DECREE

In this case Norton James Trescott, Plaintiff, has filed a Bill of Complaint for Divorce a Vinculo Matrimonii against Mabel Elizabeth Trescott, Defendant, alleging voluntary separation. The Defendant has filed an Answer wherein she denies the voluntariness of the separation and seeks support for one of the infant children born to the parties, namely, Sara Lou Trescott.

The Court has reviewed the testimony which was taken at the hearing and has come to the conclusion that the allegation of voluntary separation made by the Plaintiff lacks corroboration. We cannot therefore grant the divorce.

Since the child in question is in the custody of the Defendant, Mabel Elizabeth Trescott, and since the income of the Plaintiff seems sufficient to pay support for said child and counsel fee for the Defendant, who makes only \$115.00 net every two weeks, we will pass an order providing for support and counsel fee.

It is thereupon, this 17th day of September, 1969, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the Bill of Complaint for Divorce a Vinculo Matrimonii filed herein on behalf of the Plaintiff, Norton James Trescott, be, and the same is hereby, Dismissed. It is further ORDERED that the said Norton James Trescott, Plaintiff, pay unto

Filed - Sept 17, 1969

the said Mabel Elizabeth Trescott, Defendant, the sum of Fifteen (\$15.00) per week for the support of Sara Lou Trescott, until she becomes twenty-one (21) years of age, marries, dies, or becomes self-supporting; and the sum of One Hundred, Fifty Dollars (\$150.00) for counsel fees.

It is further ORDERED that the Plaintiff, Norton James Trescott, pay the costs of these proceedings, as taxed by the Clerk of this Court.

E. D. Ward
Associate Judge.

VINCENT DEPAUL DYER, JR.	§	NO. 11396 EQUITY
Plaintiff	§	IN THE
-v-	§	CIRCUIT COURT
JOYCE ELAINE DYER	§	FOR
Defendant.	§	CARROLL COUNTY

DECREE

The above named parties having been parties to a Bill of Complaint for Divorce a Vinculo Matrimonii in this Court and they having subsequently resumed their marital relationship,

It is this 26th day of January, ¹⁹⁷⁰1969, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the Bill of Complaint filed herein be, and the same is hereby, Dismissed with a judgment for costs against Vincent DePaul Dyer, Jr. and Joyce Elaine Dyer, his wife.

E. C. Ward
Associate Judge

Filed Jan 26, 1970

DOROTHY P. WHITEHURST	:	No. 11959 Equity
Plaintiff	:	in the
vs	:	Circuit Court
ROBERT H. WHITEHURST	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 13th day of October, Nineteen Hundred and Seventy, that the above-named Plaintiff, Dorothy P. Whitehurst, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Robert H. Whitehurst; and

It is further ADJUDGED, ORDERED and DECREED that Decree in Equity No. 11585 dated July 29, 1970, titled "Dorothy P. Whitehurst vs Robert H. Whitehurst", Circuit Court for Carroll County, as to custody of minor children, support of children, alimony, payment of extraordinary medical and dental expenses and visitation, be adopted in this cause, and that the payments for child support and alimony be made through the Clerk of the Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Robert H. Whitehurst, pay the cost of these proceedings.

E. C. Ward
Judge

Filed Oct 13, 1970

CATHERINE N. HUGHES : No. 11924 Equity
 Plaintiff : in the
 vs : Circuit Court
 BILL (NMN) HUGHES : for
 Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 13th day of October, ~~September~~, Nineteen Hundred and Seventy, that the above-named Plaintiff, Catherine N. Hughes, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Bill (NMN) Hughes; and

It is further ADJUDGES, ORDERED and DECREED that the guardianship and custody of Kathy Regina Hughes, Ronald James Hughes, and Terry Lee Hughes, the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Catherine N. Hughes, with the right unto the Defendant, Bill (NMN) Hughes, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Bill (NMN) Hughes, pay direct unto the Plaintiff, Catherine N. Hughes, the sum of \$15.00 per week per child, for a total of \$45.00 per week, towards their support, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Bill (NMN) Hughes, pay \$250.00 counsel fee to the

Filed Oct 13, 1970

attorney for the Plaintiff, Catherine N. Hughes; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Bill (NMN) Hughes, pay the cost of these proceedings.

[Signature]
 Judge

BONNIE LOU McBAIN	:	No. 11838 Equity
Plaintiff	:	in the
vs	:	Circuit Court
DOUGLAS J. McBAIN	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 15th day of October ~~September~~, Nineteen Hundred and Seventy, that the above-named Plaintiff, Bonnie Lou McBain, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Douglas J. McBain; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Debbie McBain, Kathy McBain, Douglas McBain, Jr., Harvey McBain and Sharon McBain, the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Bonnie Lou McBain, with the right unto the Defendant, Douglas J. McBain, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Douglas J. McBain, pay direct unto the Plaintiff, Bonnie Lou McBain, the sum of \$17.00 per week per child, for a total of \$85.00 per week, toward their support, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the pertinent parts of the Separation Agreement by and between the parties hereto dated October 19, 1967, and filed in this cause of action

10-15-70

Filed - Oct 15, 1970

be and it is hereby approved and made a part hereof as if fully set forth herein; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Bonnie Lou McBain, pay the cost of these proceedings.

E. O. Smith, Jr.
Judge

MAE B. SNYDER	:	In the
Plaintiff	:	Circuit Court
VS	:	for
FRANCIS E. SNYDER	:	Carroll County
Defendant	:	No. 11908 Equity
	:	22/88

DECREE OF DIVORCE

This cause standing ready for hearing, testimony having been heard in open court, and being submitted,

It is thereupon, this 21st day of October, 1970, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the said Mae B. Snyder, the above-named Plaintiff, be and she is hereby divorced A VINCULO MATRIMONII from the Defendant, Francis E. Snyder; and

It is further ADJUDGED, ORDERED and DECREED that the Decree of the Circuit Court for Carroll County, dated January 28, 1966, Equity No. 10683, regarding custody of the minor children of the parties hereto, be adopted in this cause; and

It is further ORDERED that the Defendant, Francis E. Snyder, pay the costs of these proceedings.


Judge

Filed Oct 21, 1970

GAIL MARGUERITE KLEIN	:	No. 11934 Equity
Plaintiff	:	in the
vs	:	Circuit Court
RALPH JOSEPH KLEIN, JR.	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 26th day of October, Nineteen Hundred and Seventy, that the above-named Plaintiff, Gail Marguerite Klein, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Ralph Joseph Klein, Jr., and that the question of alimony be and it is hereby reserved for future determination; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Dana Denise Klein, Dennis Wade Klein, Diane Christine Klein and Ralph Edward Klein, infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Gail Marguerite Klein, with the right unto the Defendant, Ralph Joseph Klein, Jr., to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Ralph Joseph Klein, Jr., pay direct unto the Plaintiff, Gail Marguerite Klein, the sum of \$15.00 per week per child, for a total of \$60.00 per week, toward their support, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the pertinent terms of the Stipulation executed on September 16 and 17, 1970 by

Filed Oct 27, 1970

the parties hereto and filed in this cause of action, be and they are hereby approved and made a part hereof as if fully set forth herein; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Ralph Joseph Klein, Jr., pay the cost of these proceedings.

[Signature]
Judge

CAROLE LEE WETZEL	:	No. 11407 Equity
Plaintiff	:	in the
vs	:	Circuit Court
WILBUR MARLIN WETZEL	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 4th day of ^{Nov.} ~~Nov.~~, Nineteen Hundred and Seventy, that the above-named Plaintiff, Carole Lee Wetzel, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Wilbur Marlin Wetzel; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Melinda Wetzel, Dorinda Lee Wetzel and Robin Lynne Wetzel, the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Carole Lee Wetzel, with the right unto the Defendant, Wilbur Marlin Wetzel, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Wilbur Marlin Wetzel, pay to the Plaintiff through the Clerk of the Court, the sum of \$10.00 per week per child, for a total of \$30.00 per week, towards their support, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Wilbur Marlin Wetzel, pay the cost of these proceedings.

[Signature]
Judge

Filed - Nov 4, 1970

HAROLD W. SHORB	!	NO. 11857 EQUITY
Plaintiff	!	IN THE
-v-	!	CIRCUIT COURT
CATHERINE S. SHORB	!	FOR
Defendant	!	CARROLL COUNTY.

OPINION AND DECREE

In this case the Plaintiff, Harold W. Shorb, is seeking a divorce a vinculo matrimonii from the Defendant, Catherine S. Shorb. He alleges desertion as an alternative to the original ground of voluntary separation as the basis for the divorce he seeks. The Defendant denies both the allegation of desertion as well as voluntary separation.

The facts show that the Plaintiff moved from the home of the parties in Hanover, Pennsylvania, to an apartment in Maryland in September, 1968. His explanation for this is that he wished to be located nearer to his place of employment which is at Black and Decker in Hampstead, Maryland. He originally moved into a two-bedroom apartment and later moved from there to a bungalow owned by one Bonnie Haines. The Plaintiff alleges that he requested his wife to move with him but that she refused because she wanted to be near her mother and did not want to give up her job. She emphatically denies that he made any bona fide request for her to move with him. In addition, she attempted to prove that the Plaintiff, since his moving to Maryland, has committed adultery with the said Bonnie Haines.

To say the least, the testimony adduced in this case is contradictory. The Plaintiff had witnesses which testified on his behalf as to his moving to Maryland and as to his request to have his wife join him at his new apartment. The Defendant, on the

Filed - Nov 13, 1970

other hand, had witnesses who were intended to corroborate her proof that the Plaintiff was committing adultery with another woman. In fact, she had witnesses who testified that they used field glasses to watch the activities of the Plaintiff and his alleged paramour standing beside an automobile in the dark of night some thirty feet away.

Obvious, we have two questions to consider, the one being whether or not the Defendant was guilty of desertion when she failed to join her husband in his move to Maryland. The other question is whether or not the Plaintiff was guilty of recrimination in his association with Bonnie Haines.

In speaking of the situation where the husband had moved from the home and the wife had failed to follow, the Court of Appeals in the case of Swartz v. Swartz, 158 Md. 80, at page 91, had this to say:

"For as the head and support of the family, he had the right to change the family domicile, and when the change was made, it became and was her duty to follow him to the new domicile if he requested it, unless circumstances amounting in law to a legal excuse justified her in refusing his request. 19 C.J., page 59, sec. 112; Keezer on Marriage and Divorce, sec. 338. But she was not obliged to follow him unless he did request her to do so (19 C.J., page 59), and unless such request was made in good faith (9 R.C.L., page 365-364) and the change would not impair her health or safety or unreasonably interfere with her comfort. 19 C.J. 60; 9 R.C.L., page 365; Keezer on Marriage and Divorce, sec. 338." (Emphasis added.)

Since the fact is that the wife didn't follow the husband in the case at bar, we are faced with the proposition of whether she was requested to do so and whether this request was made in good faith. The Plaintiff makes the simple statement that he asked his wife to move with him. Mrs. Shorb maintains that, while she was asked to move to Maryland, the request was not sincerely made. Apparently, the Plaintiff picked out the new

apartment with little or no assistance from his wife, although he did set up an appointment for her to see it at a time which was not suitable for her to come. No other effort was made for her to inspect the apartment until the day he had moved and she visited the apartment allegedly to "see what kind of a dump he moved into". At that time one of the Plaintiff's witnesses testified that Mr. Shorb asked her if she was coming to live. After the Plaintiff's move to Maryland, it appears that he visited his wife from time to time at their residence in Hanover. We do not find that he made any further effort to get her to move to Maryland. In fact, we cannot find that a sincere or bona fide request was made by the Plaintiff for his wife to join him in his new residence. We believe that she would have done so if properly asked. In this regard, the Court of Appeals in Sewell v. Sewell, 218 Md. 63, at page 70, states the following:


"The mere fact that the wife did not join the husband in his new home clearly does not, in and of itself, corroborate his claim that he requested her to do so."

Nor do we find that the testimony of Mr. Stone was, even if true, sufficient corroboration.

Therefore, since we find that the Plaintiff left the marital abode without a bona fide request to his wife to come with him, we cannot hold that she is guilty of desertion. Having thus concluded we do not find it necessary to consider the question of recrimination on the part of the Plaintiff.

It is thereupon, this 13th day of November, 1970, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the Bill of Complaint filed herein on behalf of Harold W. Shorb, Plaintiff, against Catherine S. Shorb, Defendant, be, and the same is hereby, Dismissed.

It is further ORDERED that the Plaintiff, Harold W. Shorb, pay the costs of these proceedings, as taxed by the Clerk of this Court.


Associate Judge.

JAMES PATRICK RUCKER	:	No. 11932 Equity
Plaintiff	:	in the
vs	:	Circuit Court
VIOLET K. RUCKER	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 17th day of November, Nineteen Hundred and Seventy, that the above-named Plaintiff, James Patrick Rucker, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Violet K. Rucker.

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Marsha Annette Rucker and Susan Melissa Rucker, the infant children of the parties hereto, be and it is hereby awarded unto the Defendant, Violet K. Rucker, with the right unto the Plaintiff, James Patrick Rucker, to visit said children at reasonable times and under proper circumstances, all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, James Patrick Rucker, pay to the Defendant, Violet K. Rucker, the sum of \$12.50 per week per child for a total of \$25.00 per week toward their support, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, James Patrick Rucker, pay the cost of these proceedings.

E. D. [Signature]
Judge

Filed Nov 17, 1970

TREVA RHOTEN	:	No. 11760 Equity
Plaintiff	:	in the
vs	:	Circuit Court
EARL W. RHOTEN	:	for
Defendant	:	Carroll County
.....	:	
EARL W. RHOTEN	:	
Cross-Plaintiff	:	
vs	:	
TREVA RHOTEN	:	
Cross-Defendant	:	

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff and Cross-Defendant and by the Defendant and Cross-Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 17th day of ~~August~~ ^{Nov.}, Nineteen Hundred and Seventy, that the Bill of Complaint of Treva Rhoten, Plaintiff, vs Earl W. Rhoten, Defendant, is dismissed; and

It is further ADJUDGED, ORDERED and DECREED that the above-named Cross-Plaintiff, Earl W. Rhoten, be and he is hereby divorced "A VINCULO MATRIMONII" from the Cross-Defendant, Treva Rhoten; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Jean E. Rhoten, minor child of the parties hereto, be and it is hereby awarded unto the Cross-Defendant, Treva Rhoten, with the right unto the Cross-Plaintiff, Earl W. Rhoten, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

NOV 17 1970

Filed Nov 17, 1970

It is further ADJUDGED, ORDERED and DECREED that the Cross-Plaintiff, Earl W. Rhoten, pay to the Cross-Defendant, Treva Rhoten, the sum of \$20.00 per week toward the support of the minor child, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Cross-Plaintiff, Earl W. Rhoten, pay the cost of these proceedings.

E. O. Ward, Jr.
Judge

JANET C. SOUERS	:	No. 11792 Equity
Plaintiff	:	in the
vs	:	Circuit Court
SAMUEL J. SOUERS, SR.	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 17th day of November, Nineteen Hundred and Seventy, that the above-named Plaintiff, Janet C. Souers, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Samuel J. Souers, Sr.

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Samuel J. Souers, Jr., the infant child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Janet C. Souers, with the right unto the Defendant, Samuel J. Souers, Sr., to visit said child at reasonable times and under proper circumstances, all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Samuel J. Souers, Sr., pay direct to the Plaintiff, Janet C. Souers, the sum of \$15.00 per week for the support of the child, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Janet C. Souers, pay the cost of these proceedings.

E. O. Ward, Jr.
Judge

Filed Nov 18, 1970

MARTHA F. SMITH	:	No. 11888 Equity
Plaintiff	:	in the
vs	:	Circuit Court
JOSEPH LEROY SMITH	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 19th day of ~~September~~ ^{November}, Nineteen Hundred and Seventy, that the above-named Plaintiff, Martha F. Smith, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Joseph Leroy Smith; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Joseph Leroy Smith, Jr., the infant child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Martha F. Smith, with the right unto the Defendant, Joseph Leroy Smith, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Joseph Leroy Smith, pay direct unto the Plaintiff, Martha F. Smith, the sum of \$20.00 per week toward the support of the minor child, subject to the further Order of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Martha F. Smith, pay the cost of these proceedings.

G. O. Ward Jr.
Judge

Filed - Nov 19, 1970

HELEN L. DYER	:	No. 11944 Equity
Plaintiff	:	in the
vs	:	Circuit Court
JAMES E. DYER	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 20th day of November, Nineteen Hundred and Seventy, that the above-named Plaintiff, Helen L. Dyer, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, James E. Dyer; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Theda Dyer, Tania Dyer and James Kelly Dyer, the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Helen L. Dyer, with the right unto the Defendant, James E. Dyer, to visit said children at reasonable times and under proper circumstances, all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, James E. Dyer, pay to the Plaintiff, Helen L. Dyer, the sum of \$10.00 per week per child for a total of \$30.00 per week toward their support, subject to the further Order of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Helen L. Dyer, pay the cost of these proceedings.

G. O. Ward Jr.
Judge

Filed - Nov 20, 1970

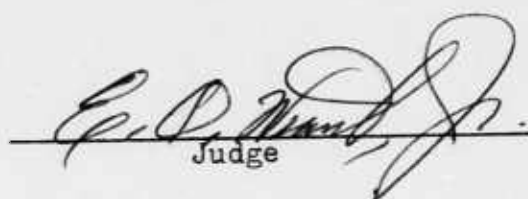
GEORGE E. PICKETT	:	No. 11954 Equity
Plaintiff	:	in the
vs	:	Circuit Court
DANA S. PICKETT	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 20th day of November, Nineteen Hundred and Seventy, that the above-named Plaintiff, George E. Pickett, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Dana S. Pickett.

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, George E. Pickett, pay the cost of these proceedings.


Judge

Filed - Nov 20, 1970

DARLENE M. HOOK	:	No. 11866 Equity
Plaintiff	:	in the
vs	:	Circuit Court
ROBERT W. HOOK	:	for
Defendant	:	Carroll County

DECREE

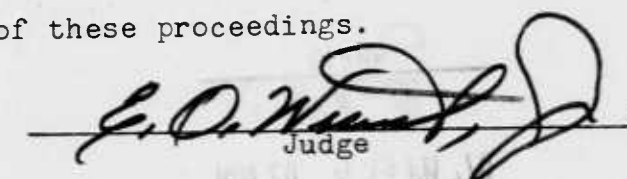
This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 20th day of Nov., Nineteen Hundred and Seventy, that the above-named Plaintiff, Darlene M. Hook, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, the said Robert W. Hook; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Vickie Lynn Hook, one of the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Darlene M. Hook, with the right of the Defendant, Robert W. Hook, to visit said child at reasonable times and under proper circumstances; and that the guardianship and custody of Robert Wilkie Hook, Jr., the other infant child of the parties hereto, be and it is hereby awarded unto the Defendant, Robert W. Hook, with the right unto the Plaintiff, Darlene M. Hook, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Robert W. Hook, pay direct unto the Plaintiff, Darlene M. Hook, the sum of \$15.00 per week for the support of Vickie Lynn Hook, subject to the further Order of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Robert W. Hook, pay the cost of these proceedings.


Judge

Filed Nov 20, 1970

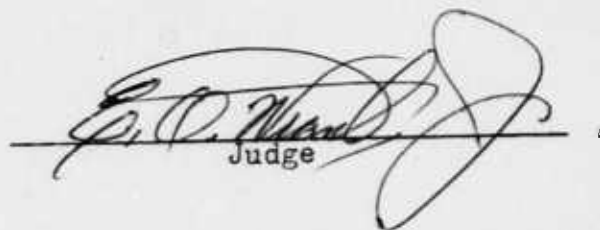
THELMA MARTINA LOUFIK	:	No. 11581 Equity
Plaintiff	:	in the
vs	:	Circuit Court
JOHN LEROY LOUFIK	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 23rd day of November, Nineteen Hundred and Seventy, that the above-named Plaintiff, Thelma Martina Loufik, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, John Leroy Loufik; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Thelma Martina Loufik, pay the cost of these proceedings.


Judge

Filed - Nov. 23, 1970

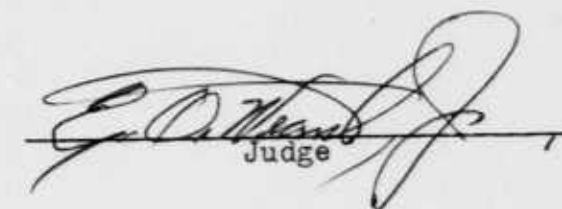
EVELYN R. ZEIGLER	:	No. 11967 Equity
Plaintiff	:	in the
vs	:	Circuit Court
JOHN W. ZEIGLER	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 23rd day of November, Nineteen Hundred and Seventy, that the above-named Plaintiff, Evelyn R. Zeigler, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, John W. Zeigler; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, John W. Zeigler, pay the cost of these proceedings.


Judge

Filed Nov 23, 1970

JERRY LEE TENNEY : No. 11928 Equity
 Plaintiff : in the
 vs : Circuit Court
 GENEVIEVE R. TENNEY : for
 Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 24th day of November, Nineteen Hundred and Seventy, that the above-named Plaintiff, Jerry Lee Tenney, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Genevieve R. Tenney; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Jerry Lee Tenney, pay the cost of these proceedings.

E. D. [Signature]
 Judge

Filed Nov. 24, 1970

WILDA JANE COLEMAN : No. 12007 Equity
 Plaintiff : in the
 vs : Circuit Court
 EUGENE REX COLEMAN : for
 Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 24th day of November, Nineteen Hundred and Seventy, that the above-named Plaintiff, Wilda Jane Coleman, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Eugene Rex Coleman; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Pamela Jean Coleman and Paul Charles Coleman, the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Wilda Jane Coleman, with the right unto the Defendant, Eugene Rex Coleman, to visit said children at reasonable times and under proper circumstances, all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Eugene Rex Coleman, pay to the Plaintiff, Wilda Jane Coleman, the sum of \$10.00 per week per child for a total of \$20.00 per week toward their support, subject to the further Order of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Wilda Jane Coleman, pay the cost of these proceedings.

E. D. [Signature]
 Judge

Filed Nov 24, 1970

JOYCE S. WHITCOMB	:	No. 11903 Equity
Plaintiff	:	in the
vs	:	Circuit Court
LIONEL R. WHITCOMB	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 21st day of November, Nineteen Hundred and Seventy, that the above-named Plaintiff, Joyce S. Whitcomb, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Lionel R. Whitcomb; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Lionel Whitcomb, Jeffrey Whitcomb and Lisa Whitcomb, that infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Joyce S. Whitcomb, with the right unto the Defendant, Lionel R. Whitcomb, to visit said children at reasonable times and under proper circumstances, all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Lionel R. Whitcomb, pay to the Plaintiff, Joyce S. Whitcomb, the sum of \$9.00 per week per child for a total of \$27.00 per week toward their support, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Lionel R. Whitcomb, pay the cost of these proceedings.

E. D. Whitcomb
Judge

Filed Nov 24, 1970

BEVERLY C. COMBS	:	NO. 11952 EQUITY
Complainant	:	IN THE
-v-	:	CIRCUIT COURT
RAYMOND LEE COMBS	:	FOR
Respondent.	:	CARROLL COUNTY

OPINION AND DECREE

The Complainant herein, Beverly C. Combs, is seeking a divorce a mensa et thoro from the Respondent, Raymond Lee Combs. She is also seeking custody of the minor children born to the parties, as well as alimony for herself and support for the children. The ground alleged for the divorce sought is cruelty of treatment.

The proof shows that the Respondent has from time to time struck and beaten the Complainant and on at least one occasion caused her to be sent to the Carroll County General Hospital for x-rays and treatment. He has pulled her hair, kicked her and has generally conducted himself so as to convince this Court that she is, for the most part, afraid of him and has put her in genuine apprehension of her well-being. Goles v. Goles, 247 Md. 621. We think she is entitled to the divorce she seeks.

The children of the parties are of tender age and, since the Complainant has not been shown to be unfit, we will award the care and custody of these infants to the mother. Hild v. Hild, 221 Md. 349. It is our opinion that the circumstances of this case do not call for a deviation from this rule.

We understand that the Respondent has a net income of \$100.00 a week and that the Complainant is not working. We will, therefore, award to the Complainant the sum of \$25.00 per week

Filed - Nov. 24, 1970

alimony and the sum of \$10.00 per week per child for the support of the children born to the parties, namely, Raymond Lee Combs, Jr. and Craig Dwayne Combs.

It is thereupon, this 24th day of November, 1970, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the said Beverly C. Combs, Complainant, be, and she is hereby, divorced a mensa et thoro from the Respondent, Raymond Lee Combs. It is further ORDERED that the care and custody of Raymond Lee Combs, Jr. and Craig Dwayne Combs be awarded to the said Beverly C. Combs and that the said Raymond Lee Combs pay unto the said Beverly C. Combs the sum of Twenty-five Dollars (\$25.00) per week by way of alimony and the further sums of Ten Dollars (\$10.00) per week per child for the support of said children, making a sum of Forty-five Dollars (\$45.00) per week to be paid by the said Raymond Lee Combs to the said Beverly C. Combs, accounting from the date of this order.

It is further ORDERED that the Respondent, Raymond Lee Combs, pay the costs of these proceedings, as taxed by the Clerk of this Court.


Associate Judge.

SHIRLEY STEM	:	No. 11803 Equity
Plaintiff	:	in the
vs	:	Circuit Court
ROBERT EUGENE STEM	:	for
Defendant	:	Carroll County

DECREE


This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 27th day of November, Nineteen Hundred and Seventy, that the above-named Plaintiff, Shirley Stem, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Robert Eugene Stem, and that the question of alimony be and it is hereby reserved for future determination; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Robert Eugene Stem, Jr. and Deborah Elaine Stem, infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Shirley Stem, with the right unto the Defendant, Robert Eugene Stem, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Robert Eugene Stem, pay direct to the Plaintiff, Shirley Stem, the sum of \$55.00 per month per child, for a total of \$110.00 per month, toward their support, subject to the further Order of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Robert Eugene Stem, pay the cost of these proceedings.


Judge

Filed - Nov 27, 1970

FRANCES MARIE THOMPSON : No. 11891 Equity
 Plaintiff : in the
 vs : Circuit Court
 JOHN CLIFTON THOMPSON : for
 Defendant : Carroll County

DECREE

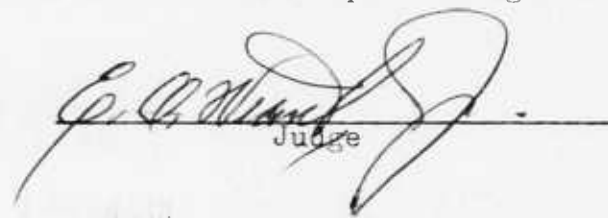
This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court;

WHEREUPON IT IS ORDERED this 27th day of November, Nineteen Hundred and Seventy, that the above-named Plaintiff, Frances Marie Thompson, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, John Clifton Thompson, and that the matter of alimony be and it is hereby reserved for future determination; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Stacey Dawn Thompson, the infant child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Frances Marie Thompson, with the right unto the Defendant, John Clifton Thompson, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, John Clifton Thompson, pay direct unto the Plaintiff, Frances Marie Thompson, the sum of \$35.00 per week for the support of the child, subject to the further Order of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Frances Marie Thompson, pay the cost of these proceedings.


 Judge

Filed Nov 27, 1970

DAVID LEE HUMPLE : NO. 11902 EQUITY
 Complainant : IN THE
 -v- : CIRCUIT COURT
 PATRICIA ANN HUMPLE : FOR
 Respondent. : CARROLL COUNTY.

OPINION AND DECREE

The Complainant herein, David Lee Humple, filed suit for divorce against the Respondent, Patricia Ann Humple. The relief requested is based on the allegation that the parties have lived separate and apart for more than five years. The Respondent has denied this allegation and has in turn filed a counter-claim for divorce on the ground of adultery.

The original suit was filed herein on June 1st, 1970. While the Complainant attempted to claim that the parties separated May 15th, 1965, we do not find that this is sustained by the proof. In fact, we find from the proof that the parties did not separate until sometime in the late fall of that year. Consequently, the Complainant has not sustained his burden of showing that the parties have been living separate and apart for the five year period required by the Statute.

On the other hand, however, the Respondent proved by the Complainant's paramour that he had lived with her since the separation of the parties and we think this sufficient to sustain the Respondent's allegation of adultery and the divorce she seeks.

The Respondent is seeking the care and custody of the infant children of the parties, namely, Patricia Ann Humple and Donna Lynn Humple. Since she is the mother of these infants and has not been shown to be unfit, we will award the custody to her. She is also seeking alimony and support for the said children.

Filed Dec. 1, 1970

The Complainant nets \$120.00 per week and the Respondent approximately \$45.00. Considering this and the needs of the parties we believe that the Complainant could pay \$10.00 per week per child for the support of the infants and \$15.00 per week alimony. This would give the Complainant \$85.00 a week to support himself and the Respondent \$80.00 a week for the support of three. In addition, we will award the Respondent the sum of \$150.00 by way of counsel fee.

It is thereupon, this 1st day of December, 1970, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the said Patricia Ann Humple, Respondent, be, and she is hereby, divorced a vinculo matrimonii from the Complainant, David Lee Humple. It is further ORDERED that the said Patricia Ann Humple be awarded the care and custody of the infant children of the parties, namely, Patricia Ann Humple and Donna Lynn Humple, and that the said David Lee Humple pay unto the said Patricia Ann Humple the sum of Ten Dollars (\$10.00) per week per child for the support and maintenance of said children and the further amount of Fifteen Dollars (\$15.00) per week by way of permanent alimony to the said Patricia Ann Humple, making a total of Thirty-Five Dollars (\$35.00) per week to be paid by the said David Lee Humple to the said Patricia Ann Humple, accounting from the date of this order. It is ORDERED that the said David Lee Humple pay unto the attorney for Patricia Ann Humple the sum of One Hundred, Fifty Dollars (\$150.00) by way of counsel fee and that the said David Lee Humple be given the right of reasonable visitation with the said infant children of the parties.

It is further ORDERED that the said David Lee Humple, Complainant, pay the costs of these proceedings, as taxed by the Clerk of this Court.

E. D. Humple
Associate Judge

LINDA LEE GARVER	:	No. 11983 Equity
Plaintiff	:	in the
vs	:	Circuit Court
HERBERT LEVERE GARVER	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court *and upon a letter of opinion received from Defendant's Attorney:* WHEREUPON IT IS ORDERED this *7th* day of ~~November~~ ^{DECEMBER}, Nineteen Hundred and Seventy, that the above-named Plaintiff, Linda Lee Garver, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Herbert Levere Garver; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Barry Dean Garver and David Wayne Garver, the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Linda Lee Garver, with the right of the Defendant, Herbert Levere Garver, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Herbert Levere Garver, pay direct unto the Plaintiff, Linda Lee Garver, the sum of \$10.00 per week per child for a total of \$20.00 per week towards their support, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Linda Lee Garver, pay the cost of these proceedings.

E. D. Humple
Judge

Filed Dec. 7, 1970

MARY A. KING : No. 11966 Equity
Plaintiff : in the
vs : Circuit Court
CHARLES L. KING : for
Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 8th day of December, Nineteen Hundred and Seventy, that the above-named Plaintiff, Mary A. King, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Charles L. King; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Charles L. King, pay the cost of these proceedings.


Judge

Filed - Dec 8, 1970

GERTRUDE RAE STANSBURY : No. 11986 Equity
Plaintiff : in the
vs : Circuit Court
LARRY W. STANSEBURY : for
Defendant : Carroll County

DECREE

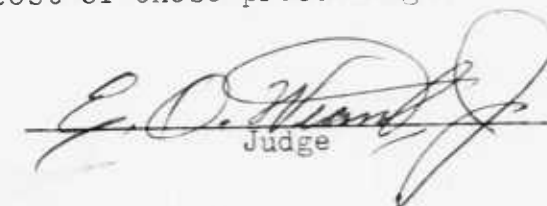
This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 8th day of DECEMBER, Nineteen Hundred and Seventy, that the above-named Plaintiff, Gertrude Rae Stansbury, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Larry W. Stansbury; and

It is further ADJUDGED, ORDERED and DECREED that the guardian ship and custody of Kimberly Shawn Stansbury, the infant child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Gertrude Rae Stansbury, with the right of the Defendant, Larry W. Stansbury, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Larry W. Stansbury, pay direct unto the Plaintiff, Gertrude Rae Stansbury, the sum of \$20.00 per week toward the support of the child, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Larry W. Stansbury, pay the cost of these proceedings.


Judge

Filed - Dec 8, 1970

CHARLES L. BROOKS	§	NO. 11943 EQUITY
Complainant	§	IN THE
-v-	§	CIRCUIT COURT
MAY BROOKS	§	FOR
Respondent	§	CARROLL COUNTY

OPINION AND DECREE

Charles L. Brooks, Complainant, has filed suit against May Brooks, Respondent, for a divorce a mensa et thoro, alleging that the said May Brooks had constructively abandoned and deserted him without just cause or reason. The Respondent alleges that, while she did lock the Complainant from their house and removed his personal belongings, she was justified in doing so because of his seeing and staying with a 21 year old girl.

The proof showed that the Respondent did remove the Complainant's clothes from their house and changed the locks on the doors thereof. It further showed that this occurred on July 8, 1970, and that she would not have him back. However, the proof fell short of showing that the Complainant was guilty of improper conduct with the young girl in question and we must grant the divorce as prayed.

It is thereupon, this 11th day of December, 1970, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that Charles L. Brooks, Complainant, be, and he is hereby, divorced A Mensa et Thoro from May Brooks, Respondent. And it is hereby declared the duty of each of them to live chastly during their separation, and that it will be criminal and an action of law for them, during the life of the other, to contract marriage with any other person.

Filed - Dec 11, 1970

It is further ORDERED that the Respondent, May Brooks, pay the costs of these proceedings, as taxed by the Clerk of this Court.

E. O. [Signature]
Associate Judge.

MARY ANN KELLY : No. 12029 Equity
 Plaintiff : in the
 vs : Circuit Court
 GLENN C. KELLY : for
 Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 11th day of December, Nineteen Hundred and Seventy, that the above-named Plaintiff, Mary Ann Kelly, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Glenn C. Kelly; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Brenda Carol Kelly, the infant child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Mary Ann Kelly, with the right unto the Defendant, Glenn C. Kelly, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Glenn C. Kelly, pay direct unto the Plaintiff, Mary Ann Kelly, the sum of \$5.00 per week toward the support of the minor child, subject to the further Order of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Mary Ann Kelly, pay the cost of these proceedings.

E. O. Mendenhall
 Judge

Filed - Dec 11, 1970

NANCY JANE UHLER : No. 11825 Equity
 Plaintiff : in the
 vs : Circuit Court
 CHARLES RUSSELL UHLER : for
 Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 18th day of ^{December} November, Nineteen Hundred and Seventy, that the above-named Plaintiff, Nancy Jane Uhler, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Charles Russell Uhler; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Gill Allen Uhler and Ricky Wayne Uhler, two of the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Nancy Jane Uhler, with the right of the Defendant, Charles Russell Uhler, to visit said children at reasonable times and under proper circumstances; and that the guardianship and custody of Dale Lester Uhler and Charles R. Uhler, the other infant children of the parties hereto, be and it is hereby awarded unto the Defendant, Charles Russell Uhler, with the right unto the Plaintiff, Nancy Jane Uhler, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Charles Russell Uhler, pay direct unto the Plaintiff, Nancy Jane Uhler, the sum of \$10.00 per week per child for a total of \$20.00 per week towards their support, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Nancy Jane Uhler, pay the costs of these proceedings.

Filed - Dec 18, 1970

E. O. Mendenhall
 Judge

ARLENE MAY YINGLING : No. 11940 Equity
 Plaintiff : in the
 vs : Circuit Court
 RICHARD VOLTINE YINGLING : for
 Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 21st day of December, Nineteen Hundred and Seventy, that the above-named Plaintiff, Arlene May Yingling, be and she is hereby divorced "A VINCULO MATRIMONII"

from the Defendant, Richard Voltine Yingling;


It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Leona Carole Yingling and Richard Voltine Yingling, Jr., the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Arlene May Yingling, with the right unto the Defendant, Richard Voltine Yingling, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Richard Voltine Yingling, pay direct unto the Plaintiff Arlene May Yingling, the sum of \$10.00 per week per child, for a total of \$20.00 per week, toward their support; and that the Defendant, Richard Voltine Yingling, pay unto the Plaintiff, Arlene May Yingling, the sum of \$5.00 per week as permanent alimony, subject to the further Order of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Richard Voltine Yingling, pay \$100.00 counsel fee to the attorney for the Plaintiff, Robert K. Parker; and

Filed Dec 22, 1970

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Richard Voltine Yingling, pay the cost of these proceedings.


 Judge

DONALD S. MYERS	:	No. 11937 Equity
Plaintiff	:	in the
vs	:	Circuit Court
JANET ANN MYERS, a Minor	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 22nd day of December, Nineteen Hundred and Seventy, that the above-named Plaintiff, Donald S. Myers, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Janet Ann Myers; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Donald S. Myers, pay \$100.00 counsel fee to V. Lanny Harchenhorn, attorney for the Defendant, Janet Ann Myers; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Donald S. Myers, pay the cost of these proceedings.


Judge

Filed - Dec 22, 1970

JOHN C. ROSER,	:	NO. 11946 EQUITY
Complainant and Cross-	:	IN THE
Respondent	:	CIRCUIT COURT
-v-	:	FOR
JUDY LEE ROSER,	:	CARROLL COUNTY.
Respondent and Cross-	:	
Complainant.	:	

OPINION AND DECREE

These proceedings commenced by the filing of a Bill of Complaint on behalf of John C. Roser seeking a divorce a mensa et thoro from the Respondent, Judy Lee Roser, on the ground of desertion and praying that the Court award him the care and custody of the infant child born to the parties, namely, Patricia Ann Roser. The Respondent has answered said Bill and in answering has denied the desertion on her part and has alleged constructive desertion on the part of the Complainant. She in turn has filed a Cross-Bill of Complaint for Divorce a Mensa et Thoro alleging constructive abandonment. She too seeks the care and custody of the infant child.

It is interesting to note that the Complainant at the time of the hearing on his Bill for a partial divorce did not know the nature of the relief he was seeking. It was the opinion of the Court that he was unaware that it would be necessary for him to come back into Court for a divorce a vinculo matrimonii even if he were successful in the present case. On the other hand, the Respondent and Cross-Complainant apparently was advised of the relief she was seeking.

It is obvious that both parties were entirely too immature to be married in the first place and that the fault lies with six of one and half a dozen of the other. We cannot hold

Filed - Dec 23, 1970

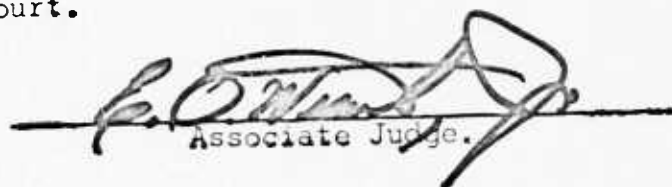
that either has sustained the proof necessary for a divorce a mensa et thoro on the ground of desertion or constructive abandonment.

The more difficult problem for the Court in this case is the custody of Patricia Ann Roser. The child now is living with Mr. Roser's grandparents who are in their seventies and who have refused the mother the right of visitation with the child. At present the child is apparently being adequately cared for but it is the opinion of this Court that this should not be considered a permanent arrangement.

We will hold the matter of custody of the child sub curia until we have had an opportunity to investigate further into possibilities available to the Court in arriving at a solution to this problem that will be in the best interests and welfare of the child in question.

It is thereupon, this 22nd day of December, 1970, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the divorce a mensa et thoro sought by John C. Roser and the divorce sought by Judy Lee Roser be, and the same are hereby, Denied. It is further ORDERED that the temporary care and custody of Patricia Ann Roser be, and the same is hereby, awarded to John C. Roser and that the said Judy Lee Roser be given the right of visitation with Patricia Ann Roser away from the home of the paternal grandparents, subject to the further order of this Court.

It is further ORDERED that the Complainant and Cross-Respondent, John C. Roser, pay the costs of these proceedings, as taxed by the Clerk of this Court.


Associate Judge.

PATSY L. MORRIS	:	No. 12011 Equity
Plaintiff	:	in the
vs	:	Circuit Court
LLOYD CHESTER MORRIS	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 29th day of December, Nineteen Hundred and Seventy, that the above-named Plaintiff, Patsy L. Morris, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Lloyd Chester Morris; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Michael Anthony Morris, the infant child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Patsy L. Morris, with the right unto the Defendant, Lloyd Chester Morris, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Lloyd Chester Morris, pay direct unto the Plaintiff, Patsy L. Morris, the sum of \$20.00 per week toward the support of the minor child, subject to the further Order of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant Lloyd Chester Morris, pay \$150.00 to C. Daniel Held, Esquire, attorney for the Plaintiff, for counsel fee; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Patsy L. Morris, pay the cost of these proceedings.


Judge

Filed Dec 29, 1970

1970 4 Dec 185

BONNIE S. HOSTETTER	:	No. 11974 Equity
Plaintiff	:	in the
vs	:	Circuit Court
JAMES R. HOSTETTER	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 19th day of December, Nineteen Hundred and Seventy, that the above-named Plaintiff, Bonnie S. Hostetter, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, James R. Hostetter; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Bonnie S. Hostetter, pay the cost of these proceedings.


Judge

Filed Dec 29, 1970

1970 4 Dec 186

LINDA L. DANNER	:	No. 11815 Equity
Plaintiff	:	in the
vs	:	Circuit Court
JOSEPH T. DANNER	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 21st day of Dec., Nineteen Hundred and Seventy, that the above-named Plaintiff, Linda L. Danner, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Joseph T. Danner; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Kimberly Ann Danner, the infant child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Linda L. Danner, with the right unto the Defendant, Joseph T. Danner, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Joseph T. Danner, pay direct to the Plaintiff, Linda L. Danner, the sum of \$10.00 per week toward the support of the child, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Linda L. Danner, pay the cost of these proceedings.


Judge

Filed- Dec 30, 1970

JEAN L. HARVEY : No. 11784 Equity
Plaintiff : in the
Vs : Circuit Court
EMORY G. HARVEY, JR. : for
Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 7th day of January, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Jean L. Harvey, be and she is hereby divorced "A VINCULO MATRIMONII" From the Defendant, Emory G. Harvey, Jr.; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Kathy Harvey, the infant child of the parties hereto, be and it is hereby awarded unto the Defendant, Emory G. Harvey, Jr., with the right unto the Plaintiff, Jean L. Harvey, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff Jean L. Harvey, be and she is hereby denied alimony by reason of her express waiver thereof; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Emory G. Harvey, Jr. pay \$100.00 counsel fee to the attorney for the Plaintiff, Jean L. Harvey; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Emory G. Harvey, Jr., pay the cost of these proceedings.


Judge

Filed Jan 7, 1971

ROXANN STINE CASSELL, : No. 11993 Equity
by Mother and Next Friend, : in the
Mildred Marie Stine : Circuit Court
Plaintiff : for
vs : Carroll County
SAMUEL PAUL CASSELL, a Minor : Defendant

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

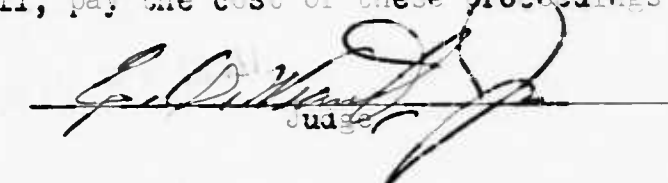
WHEREUPON IT IS ORDERED this 11th day of January, Nineteen Hundred Seventy-one, that the above-named Plaintiff, Roxann Stine Cassell, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Samuel Paul Cassell; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Vincent Cassell, the infant child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Roxann Stine Cassell, with the right unto the Defendant, Samuel Paul Cassell, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Samuel Paul Cassell, pay direct unto the Plaintiff, Roxann Stine Cassell, the sum of \$10.00 per week toward the support of the child, subject to the further Order of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the pertinent terms of the Agreement by and between the parties hereto dated October 23, 1970 and filed in this cause of action, be and they are hereby approved and made a part hereof as if fully set forth herein;

And it is further ADJUDGED, ORDERED and DECREED that the Defendant, Samuel Paul Cassell, pay the cost of these proceedings.


Judge

Filed Jan 11, 1971

Gladys Lang, Mother and Next	:	No. 11987 Equity
Friend of	:	
WALLACE F. LANG, a Minor	:	in the
Plaintiff	:	Circuit Court
vs	:	for
BETTY ANN LANG, a Minor	:	Carroll County
Defendant	:	

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 11th day of January, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Wallace F. Lang, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Betty Ann Lang; and

It is further ORDERED, ADJUDGED and DECREED that the name of the Defendant, Betty Ann Lang, be and the same is hereby changed to Betty Ann Tyson, her maiden name before her marriage to the Plaintiff; and

It is further ORDERED, ADJUDGED and DECREED that the Plaintiff, Wallace F. Lang, pay the cost of these proceedings.

E. D. Ward
Judge

Filed - Jan 11, 1971

CHARLES D. DILLER	:	No. 17015 Equity
Plaintiff	:	in the
vs	:	Circuit Court
LAURABELL DILLER	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 11th day of January, Nineteen Hundred Seventy-one, that the above-named Plaintiff, Charles D. Diller, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Laurabell Diller; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Charles D. Diller, pay the cost of these proceedings.

E. D. Ward
Judge

Filed - Jan 11, 1971

CHARLES A. HARRIS : No. 11904 Equity
Plaintiff : in the
vs : Circuit Court
GRACE LOUISE HARRIS, a Minor : for
Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 12th day of January, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Charles A. Harris, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Grace Louise Harris; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Linda Harris, one of the infant children of the parties hereto, be and it is hereby awarded unto the Defendant, Grace Louise Harris, with the right unto the Plaintiff, Charles A. Harris, to visit said child at reasonable times and under proper circumstances; and that the guardianship and custody of Lisa Harris, the other infant child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Charles A. Harris, with the right unto the Defendant, Grace Louise Harris, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and the question of support of the said Linda Harris by Charles A. Harris, Plaintiff, be and it is hereby reserved for future determination.

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Charles A. Harris, pay the cost of these proceedings.


Judge

Filed - Jan 12, 1971

DONALD W. HOOPER : In the
Plaintiff : Circuit Court
vs : for
TEDEJANE D. HOOPER : Carroll County
Defendant : No. 11912 Equity
22/90

DECREE OF DIVORCE

This cause standing ready for hearing, testimony having been heard in open court, and being submitted,

It is thereupon this 12 day of January, 1971, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the said Donald W. Hooper, the above-named Plaintiff, be and he is hereby divorced A VINCULO MATRIMONII from the Defendant, Tedejane D. Hooper.

And it is further ORDERED that the Plaintiff, Donald W. Hooper, pay the costs of these proceedings.


Judge

Filed - Jan 12, 1971

HILDA ELIZABETH FRITZ : No. 11586 Equity
 Plaintiff : in the
 vs : Circuit Court
 CHARLES LEROY FRITZ : for
 Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this ~~14th~~ ^{Jan.} day of ~~Jan.~~ ^{Jan.}, Nineteen Hundred and ~~Seventy-One~~ ^{Seventy-One}, that the above-named Plaintiff, Hilda Elizabeth Fritz, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Charles Leroy Fritz; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Charles Leroy Fritz, Jr. and Jerry Lee Fritz, the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Hilda Elizabeth Fritz, with the right unto the Defendant, Charles Leroy Fritz, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Charles Leroy Fritz, pay direct unto the Plaintiff, Hilda Elizabeth Fritz, the sum of \$10.00 per week per child, for a total of \$20.00 per week, towards their support, subject to the further Orders of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Hilda Elizabeth Fritz, pay the cost of these proceedings.

E. D. Ward
 Judge

Filed - Jan 14, 1971

MARILYN R. GRANDINETTI : No. 12004 Equity
 Plaintiff : in the
 vs : Circuit Court
 RICHARD ANGELO GRANDINETTI : for
 Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court.

WHEREUPON IT IS ORDERED this ^{15th} day of January, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Marilyn R. Grandinetti, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Richard Angelo Grandinetti; and

It is further ORDERED, ADJUDGED and DECREED that the name of the Plaintiff, Marilyn R. Grandinetti, be and the same is hereby changed to Marilyn Deborah Ruark, her maiden name before her marriage to the Defendant, Richard Angelo Grandinetti; and

It is further ORDERED, ADJUDGED and DECREED that the Plaintiff, Marilyn R. Grandinetti, pay the cost of these proceedings.

E. D. Ward
 Judge

Filed - Jan 15, 1971

GEORGE W. ALBAUGH,	0	NO. 11920 EQUITY
Plaintiff and	0	IN THE
Cross-Defendant	0	CIRCUIT COURT
-v-	0	FOR
GRETA ALBAUGH,	0	CARROLL COUNTY,
Defendant and	0	MARYLAND.
Cross-Plaintiff.	0	

DECREE

This cause standing ready for hearing on the Cross-Bill of Complaint being submitted by the Cross-Plaintiff, proceedings were read and considered by the Court.

It is thereupon, this 22nd day of January, 1971, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the Cross-Plaintiff, Greta Albaugh, be, and she is hereby, divorced a vinculo matrimonii from the Cross-Defendant, George W. Albaugh.

It is further ORDERED that the Cross-Defendant pay as alimony to the Cross-Plaintiff, through the Clerk of this Court, the sum of Ten Dollars (\$10.00) per week, as alimony, accounting from the date of this Decree; and

It is further ORDERED that the Cross-Plaintiff be, and she is hereby, permitted to resume her maiden name, to wit, Greta Frounfelter; and

It is further ORDERED that the Cross-Defendant, George W. Albaugh, pay the costs of these proceedings, as taxed by the Clerk of this Court.

E. O. [Signature]
Associate Judge

Filed Jan 29, 1971

POLLYANN LOUISE WILLIAMS	:	No. 11736 Equity
Plaintiff	:	in the
vs	:	Circuit Court
WARREN (NMN) WILLIAMS	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 2nd day of Feb, Nineteen Hundred and Seventy One, that the above-named Plaintiff, Pollyann Louise Williams, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Warren Williams; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Deneen Triviane Williams and Sonya Collette Williams, the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Pollyann Louise Williams, with the right unto the Defendant, Warren Williams, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Warren Williams, pay to the Plaintiff through the Clerk of the Court, the sum of \$10.00 per week per child, for a total of \$20.00 per week, toward their support, subject to the further Order of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Warren Williams, pay \$150.00 counsel fee to the attorney, C. Rogers Hall, Jr., for the Plaintiff, Pollyann Louise Williams; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Warren Williams, pay the cost of these proceedings.

E. O. [Signature]
Judge

Filed Feb 2, 1971

DARLENE L. GRAHAM : No. 12024 Equity
Plaintiff : in the
vs : Circuit Court
WILLIAM R. GRAHAM : for
Defendant : Carroll County

DECREE OF DIVORCE

This cause standing ready for hearing, testimony having been heard in open court, and being submitted,

It is thereupon this 5th day of February, 1971, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the said Darlene L. Graham, the above-named Plaintiff, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, William R. Graham.

And it is further ORDERED that the Plaintiff, Darlene L. Graham, pay the costs of these proceedings.

E. O. Weant, Jr.
Judge

Filed Feb 5, 1971

IRENE S. GRAYBILL : NO. 12074 EQUITY
Complainant : IN THE
VS. : CIRCUIT COURT
DENNIS M. GRAYBILL : FOR
Respondent : CARROLL COUNTY

DECREE

The above cause standing for hearing, and having been heard and considered by the Court:

It is thereupon, this 5th day of February, 1971, by the Circuit Court for Carroll County, sitting in Equity, ADJUDGED, ORDERED and DECREED that the above named Complainant, Irene S. Graybill, be and she is hereby divorced A VINCULO MATRIMONII from the Respondent, Dennis M. Graybill.

And it is further ORDERED and DECREED that the Respondent, Dennis M. Graybill, pay the costs of these proceedings.

E. O. Weant, Jr.
E. O. WEANT, JR., JUDGE

Filed Feb 5, 1971

GENEVA P. FROCK		NO. 11960 EQUITY
Plaintiff		IN THE
-v-		CIRCUIT COURT
E. EUGENE FROCK		FOR
Defendant.		CARROLL COUNTY

A Bill of Complaint for Divorce, Custody of Children and for Further Relief has been filed by the Plaintiff, Geneva P. Frock. The basis of the prayer for divorce is voluntary separation.

The Answer filed on behalf of the Defendant, E. Eugene Frock, admits the separation but raises some question as to the support to be paid for the children of the parties. Therefore, the amount to be paid for the support of the children is the gravamen of this suit as the allegation of voluntary separation has not only been admitted but the burden of proof has been met.

Three children were born as a result of the marriage, namely, Lynn E. Frock, Bonnie Rae Frock and Kevin E. Frock. Lynn E. Frock is now 20 and is living with his father. Bonnie and Kevin are now living with their mother. The separation agreement entered into between the parties provided for the payment of \$33.33 per week by the Defendant to the Plaintiff for the support of each child, or \$100.00 per week. Of course, since one child is now living with the father this payment can be eliminated.

The Defendant is resisting the request for the payment of \$33.33 per child for the support of Bonnie and Kevin on the ground that his income has been greatly curtailed since the execution of the aforementioned separation agreement. The proof shows that he was making \$20,000.00 per year until January of 1970.

Filed - Feb 26, 1971

The proof also shows that he is presently earning a gross of \$100.00 per week with a net of \$83.00 per week. This has been so since January of 1970. He is furnished a home by his employer who is also his father. Obviously, he cannot be expected to pay \$33.33 for two children out of an income of \$83.00. In considering how much he should pay, however, we must also take into account the fact that the Plaintiff has an income of approximately the same as the Defendant, although she does not have a home furnished to her nor her meals as we believe the Defendant has. The Defendant has suggested that he would be able to pay from \$20.00 to \$30.00 for the support of the two children. If we were to award the maximum of \$30.00 as he suggests the Plaintiff would have approximately \$115.00 to support three persons including meals and rent. This would leave the Defendant with approximately \$55.00 for his own support without the necessity of buying meals or paying rent. We understand that Lynn Frock is now self-supporting.

Considering the financial circumstance of the parties, their station in life and the age of the minors, we feel that the Defendant should pay to the Plaintiff the sum of \$20.00 per child per week or a total of \$40.00 per week for their support.

In lieu of No. 19033 Law, we have also been asked to consider what, if anything, the Defendant owes to the Plaintiff by way of arrearage in the support payments agreed upon in the separation agreement. Here we find that the Defendant has failed to pay for the support of Lynn Frock prior to the time that he went to live with his father. This is a period from the second week of June to November 1st, 1969, being 20 weeks at the amount of \$33.33. We find further that the Defendant has paid nothing whatsoever for the support of the other two children from January 31st, 1970. This was 55 weeks to the date of the hearing. Since we cannot

find that the Defendant was able to pay this amount during that period we will not award the full amount of \$66.66 for 55 weeks but rather the amount herein decided upon of \$40.00 for the 55 weeks in question. According to our calculations, then, the Plaintiff would be entitled to a judgment for 20 weeks at \$33.33 per week or a total of \$666.66, plus 55 weeks at \$40.00 per week or \$2,000.00, making an aggregate of \$2,666.66.

It is thereupon, this 26th day of February, 1971, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that Geneva P. Frock, Plaintiff, be, and she is hereby, divorced a vinculo matrimonii from E. Eugene Frock, Defendant. It is further ORDERED that the custody and guardianship of Lynn E. Frock be awarded to E. Eugene Frock, that the custody and guardianship of Bonnie Rae Frock and Kevin E. Frock be awarded to Geneva P. Frock and that E. Eugene Frock pay unto the said Geneva P. Frock, through the Clerk of this Court, accounting from February 19, 1971, the sum of Twenty Dollars (\$20.00) per week per child for their support, making a total of Forty Dollars (\$40.00) per week until they shall become twenty-one, marry, self-supporting or die. It is also ORDERED that the said E. Eugene Frock shall have the right of reasonable visitation with Bonnie Rae Frock and Kevin E. Frock, and that Geneva P. Frock shall have the right of reasonable visitation with Lynn E. Frock.

It is further ORDERED that a judgment be, and the same is hereby, entered in favor of Geneva P. Frock and against E. Eugene Frock, for the sum of Two Thousand, Six Hundred, Sixty-six Dollars and Sixty-six Cents (\$2,666.66), with interest from date of judgment and costs.

E. C. Ward
Associate Judge

MARY ELIZABETH WAREHIME	1	NO. 12016 EQUITY
Plaintiff and		
Cross-Respondent	1	IN THE
-v-	1	CIRCUIT COURT
ROBERT M. WAREHIME	1	FOR
Defendant and		
Cross-Complainant	1	CARROLL COUNTY.

OPINION AND DECREE

The Plaintiff herein, Mary Elizabeth Warehime, is seeking a divorce from the Defendant, Robert M. Warehime, on the ground of cruelty and by reason of the fact that the Defendant has unjustifiably refused to have sexual intercourse with the Plaintiff. It is alleged that he has committed other acts which threaten the health and self respect of the Plaintiff so as to seriously impair her health and destroy her happiness forcing her to leave the home. The Plaintiff is also seeking alimony and division of property.

The proof showed that the parties were married on August 6, 1966, and that the Plaintiff left the Defendant to live with her daughter on August 27, 1970. She claims that she left because life was made unbearable by the Defendant because he would not talk to her or anybody and that he showed only affection for his dog. The Plaintiff further claims that they had agreed to separate two months before, which separation was to have occurred when the home was sold. Apparently, nothing had changed in this agreement except that she says his treatment of her became worse and she was, therefore, forced to leave before the sale of the home. There was no medical testimony as to the effect of the husband's alleged treatment of the wife excepting that she has apparently been suffering from high blood pressure and hypertension for many years. The wife testified that she had not had intercourse with her husband beyond two weeks after their marriage. She says that the dog slept in the

Filed - March 9, 1971

same bed with them with which he agrees. She also says that he slept on the couch for the last six months of their marriage.

The Plaintiff has attempted to corroborate her testimony through Margaret Sullivan and Margaret Hopson. Margaret Sullivan testified that she had been close friends with the Plaintiff for thirty years and that she visited the home three or four times a week. She stated that the Defendant was a very ignorant man and that they lived like two strangers. She further testified that he would only respond to her salutations about half the time and that she would find the Plaintiff sometimes crying or just sitting looking at the walls.

Margaret Hopson, the daughter of the Plaintiff, testified that she saw her mother two or three times a week and that he was there sometimes. She would also find her mother from time to time in the bedroom crying.

Over objection Mrs. Sullivan testified that the Plaintiff had told her that she had not had intercourse with her husband after the first two weeks of their marriage. Mrs. Hopson testified to the same thing without objection. The testimony did not show that the Defendant was present when these statements were made. From our perusal of the cases in Maryland and other places it would appear that such a self-serving statement might be admissible if made in the presence of the Defendant in a contested case. However, although this case is contested, we do not find that the Defendant was present if and when these statements were made and that, therefore, they would be inadmissible as hearsay when timely objection is made. Speaking of a similar situation wherein certain self-serving statements were made to a niece by one of the parties to a divorce proceeding the Court of Appeals in Zink v. Zink, 215

Md. 197, at 201, said:

"The niece's testimony that the wife had told her, out of the husband's presence, that the couple had not been living together as man and wife since 1930 was hearsay and would not have been admissible over objection."

The husband, on the other hand, agreed that the parties had contemplated a separation which was to occur when they sold the home. He further testified that she informed him that she was leaving and that he didn't argue at that time. In speaking of the alleged separation agreement Mr. Warehime gave us the understanding that there was only one thing left to work out in his mind and that was how much he was to pay her for support. He further testified that they had started to argue several years ago and that she hadn't fixed a meal beyond the last six months of their marriage. Although admitting that he was "not sexually inclined" he did state that they had sexual relations six months before their separation.

At the end of the Plaintiff's case the Defendant made a Motion to Dismiss. The Court at that time reserved its ruling and additional testimony was taken as mentioned above. In considering this Motion we must consider the fact that while the testimony of Margaret Sullivan was admitted over objection as to the self-serving statement relative to the fact that the parties had not had sexual relations after the first two weeks of marriage, we have no such objection raised to the testimony of Margaret Hopson when she stated that her mother informed her that her husband "hadn't touched me or come near me since two weeks after we were married". Since no objection was made to this testimony of the daughter, it would appear that it is admissible and would furnish the slight degree of corroboration necessary in a contested case such as this. For this reason we must deny the Defendant's Motion to Dismiss.

LIBR 4 MAR 505

Turning to the case as a whole we think that there are sufficient facts in addition to the above mentioned testimony to show that the husband had not had sexual relations with the wife although she was willing, since two weeks after their marriage. The very fact that the dog slept between them, which is uncontradicted, during their married life would appear to offer a rather effective barrier against successful copulation. He might be considered an animated bundling board. This being the case, the law in Maryland is well settled that a permanent and irrevocable refusal of conjugal rights is sufficient to justify a divorce a mensa et thoro.

Since only the joint tax returns were given to the Court as income information, we have nothing specific on the income of the Defendant. However, based on the Plaintiff's testimony that she had agreed to take \$30.00 per week for support when they separated and based on what the Court can estimate the income of the Defendant to be and considering also the needs of the parties, as well as the income of the Plaintiff, we feel that the Defendant should pay to the Plaintiff the sum of \$25.00 per week by way of alimony.

Although the Bill of Complaint filed on behalf of the Plaintiff requests a division of property, we do not now find that this is a problem as apparently the parties have taken care of this.

It is thereupon, this 9th day of March, 1971, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the Plaintiff, Mary Elizabeth Warehime, be, and she is hereby, divorced a mensa et thoro from the Defendant, Robert M. Warehime; it is further ORDERED that the said Robert M. Warehime

-4-

LIBR 4 MAR 506

pay unto the said Mary Elizabeth Warehime, by way of alimony, the sum of Twenty-five Dollars (\$25.00) per week, through the Clerk of the Circuit Court for Carroll County, accounting from the date of this decree.

It is further ORDERED that the Defendant, Robert M. Warehime, pay the costs of these proceedings, as taxed by the Clerk of this Court.


Associate Judge.

-5-

LEP 4 MAR 507

MATTIE GUE MOFFITT,
Mother and Next Friend of
VICKY A. BATCHELLOR

Plaintiff

vs

DANIEL N. BATCHELLOR

Defendant

No. 12049 Equity

in the

Circuit Court

for

Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 12th day of March, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Vicky A. Batchellor, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Daniel N. Batchellor; and

It is further ORDERED, ADJUDGED and DECREED that the name of the Plaintiff, Vicky A. Batchellor, be and the same is hereby changed to Vicky A. Moffitt, her maiden name before her marriage to the Defendant, Daniel N. Batchellor; and

It is further ORDERED, ADJUDGED and DECREED that the Defendant, Daniel N. Batchellor, pay the cost of these proceedings.


Judge

Filed-Mar-12, 1971

LEP 4 MAR 508

ROBERT P. HOUSER

Plaintiff

vs

BEVERLY ANN HOUSER

Defendant

No. 12002 Equity

in the

Circuit Court

for

Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 12th day of March, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Robert P. Houser, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Beverly Ann Houser; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Deborah Ann Houser, the infant child of the parties hereto, be and it is hereby awarded unto the Defendant, Beverly Ann Houser, with the right unto the Plaintiff, Robert P. Houser, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Robert P. Houser, pay direct unto the Defendant, Beverly Ann Houser, the sum of \$10.00 per week toward the support of the child, subject to the further Order of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Robert P. Houser, pay the cost of these proceedings.


Judge

Filed-Mar-12, 1971

4 509

GEORGE ZINN
Plaintiff
vs
BETTY LOU ZINN
Defendant
.....
BETTY LOU ZINN
Cross Plaintiff
vs
GEORGE ZINN
Cross Defendant

IN THE
CIRCUIT COURT
FOR
CARROLL COUNTY
Equity No. 11980

DECREE OF DIVORCE

This cause standing ready for hearing, testimony having been heard in open court, and being submitted,

It is thereupon this 16th day of March, 1971, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that the said Betty Lou Zinn, the above-named Cross-Plaintiff, be and she is hereby divorced "A VINCULO MATRIMONII" from the Cross-Defendant, George Zinn.

And it is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Dawn Michele Zinn, Lisa Beth Zinn, and John Patrick Zinn, the infant children of the parties hereto, be and it is hereby awarded unto the Cross Plaintiff, Betty Lou Zinn, with the right unto the Cross Defendant, George Zinn, to visit said children at reasonable times and under proper circumstances; and that the said Cross Defendant, George Zinn, shall pay directly to the Cross Plaintiff, the sum of \$20.00 per week per child, a total of \$60.00 per week, toward the maintenance and support of said children; and reasonable medical and dental expenses for said children, and in addition thereto the said George Zinn shall carry Blue Cross and Blue Shield Insurance or like coverage on said children; all subject, however, to the continuing jurisdiction of this Court.

Filed - March 16, 1971

4 510

And it is further ADJUDGED, ORDERED and DECREED that the pertinent terms of the agreement by and between the parties hereto dated March 5, 1971 and filed in this cause of action, be and they are hereby approved and made a part hereof as if fully set forth herein.

And it is further ORDERED that the Cross Defendant, George Zinn, pay \$250.00 counsel fee to Marker J. Lovell, attorney for the Cross Plaintiff, Betty Lou Zinn.

And it is further ORDERED that the said Cross Defendant pay the costs of this proceeding.

E. O. Hand
Judge

JOYCE THELMA LIZOR : No. 12018 Equity
Plaintiff : in the
vs : Circuit Court
WILLIAM HAROLD LIZOR : for
Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court;

WHEREUPON IT IS ORDERED this 23rd day of March, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Joyce Thelma Lizer, be and she is herety divorced "A VINCULO MATRIMONII" from the Defendant, William Harold Lizer; and

It is Further ADJUDGED, ORDERED and DECREED that the guardianship and custody of John Charles Lizer and Osie Carol Lizer, the minor children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Joyce Thelma Lizer, with the right unto the Defendant, William Harold Lizer, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, William Harold Lizer, pay direct unto the Plaintiff, Joyce Thelma Lizer, the sum of \$15.00 per week per child, for a total of \$30.00 per week, toward their support, subject to the further Order of this Court; and

It is further ORDERED that the Defendant, William Harold Lizer, pay the cost of these proceedings.

Filed March 23, 1971

USED 4 FILE 512

BEVERLY ANN MC GRAW : No. 12038 Equity
Plaintiff : in the
vs : Circuit Court
WILLIAM H. MC GRAW : for
Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 23rd day of March, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Beverly Ann McGraw, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, William H. McGraw; and

It is further ORDERED that the Defendant, William H. McGraw, pay the cost of these proceedings.

E. C. Ward
JUDGE

Filed March 23, 1991

4 513

DAVID WAYNE GRIMES	:	No. 12048 Equity
Plaintiff	:	in the
vs	:	Circuit Court
REBA LOUISE GRIMES	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 23rd day of March, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, David Wayne Grimes, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Reba Louise Grimes; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Dawn Machele Grimes and Dwayne Richard Grimes, the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, David Wayne Grimes, with the right unto the Defendant, Reba Louise Grimes, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ORDERED that the Plaintiff, David Wayne Grimes, pay the cost of these proceedings.

E. C. Hunt, Jr.
Judge

Filed March 23, 1971

4 514

ANTOINETTE ELIZABETH ELKINS	:	No. 11999 Equity
Plaintiff	:	in the
vs	:	Circuit Court
DAVID C. ELKINS	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 23rd day of March, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Antoinette Elizabeth Elkins, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, David C. Elkins; and

It is further ORDERED, ADJUDGED and DECREED that the name of the Plaintiff, Antoinette Elizabeth Elkins, be and the same is hereby changed to Antoinette Elizabeth Warshime, her maiden name before her marriage to the Defendant; and

It is further ORDERED that the Defendant, David C. Elkins, pay the cost of these proceedings.

E. C. Hunt, Jr.
Judge

Filed March 23, 1971

USE 4 PAGE 515

ROBERT O. JONES, SR. : No. 11884 Equity
Plaintiff : in the
vs : Circuit Court
CATHERINE R. JONES : for
Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 24th day of March, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Robert O. Jones, Sr., be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Catherine R. Jones; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Robert O. Jones, Sr., pay the cost of these proceedings.


Judge

Filed - March 26, 1971

USE 4 PAGE 516

ELIZABETH CARRICK MATTISON : No. 11962 Equity
Plaintiff : in the
vs : Circuit Court
CHARLES E. MATTISON : for
Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 24th day of March, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Elizabeth Carrick Mattison, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Charles E. Mattison; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Joyce Elizabeth Mattison, Karen Lynn Mattison, Samuel Charles Mattison, Kenneth Hamilton Mattison and Shirley Ann Mattison, the minor children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Elizabeth Carrick Mattison, with the right unto the Defendant, Charles E. Mattison, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Charles E. Mattison, pay to the Plaintiff through the Clerk of the Court, the sum of \$15.00 per week per child, for a total of \$75.00 per week, toward their support, and \$5.00 per week as permanent alimony, subject to the further Order of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Charles E. Mattison, pay \$125.00 counsel fee to the attorney for the Plaintiff, James Willard Davis, Esquire; and

Filed - March 26, 1971

USP 4 517

It is further ORDERED that the Defendant, Charles W. Mattison,
pay the cost of these proceedings.

E. C. Mattison
Judge

USP 4 518

HELEN C. GIBSON	:	No. 12025 Equity
Plaintiff	:	in the
vs	:	Circuit Court
HERMAN C. GIBSON	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted
by the Plaintiff, the proceedings were read and considered by
the Court:

WHEREUPON IT IS ORDERED this 26th day of March, Nineteen
Hundred and Seventy-one, that the above-named Plaintiff,
Helen C. Gibson, be and she is hereby divorced "A VINOLIC
MATRIMONIUM" from the Defendant, Herman C. Gibson; and

It is further ADJUDGED, ORDERED and DECREED that the
Plaintiff, Helen C. Gibson, pay the cost of these proceedings.

E. C. Mattison
Judge

Filed - March 26, 1971

MAURICE E. FARVER, SR. : No. 12051 Equity
Plaintiff : in the
vs : Circuit Court
PATSY L. FARVER : for
Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 26th day of March, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Maurice E. Farver, Sr., be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Patsy L. Farver; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Maurice E. Farver, Jr. and Sharon Lee Farver, the minor children of the parties hereto, be and it is hereby awarded unto the Defendant, Patsy L. Farver, with the right unto the Plaintiff, Maurice E. Farver, Sr., to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Maurice E. Farver, Sr., pay direct to the Defendant, Patsy L. Farver, the sum of \$15.00 per week per child, for a total of \$30.00 per week, toward the support of the minor children, subject to the further Order of this Court; and

It is further ORDERED that the Plaintiff, Maurice E. Farver, Sr., pay the cost of these proceedings.


Judge

Filed - March 26, 1971

DANA J. OWINGS, a minor : No. 12045 Equity
by Grace H. Delphy, Mother : in the
and Next Friend : Circuit Court
Plaintiff : for
vs : Carroll County
CARL E. OWINGS :
Defendant :

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 5th day of April, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Dana J. Owings, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Carl E. Owings; and

It is further ORDERED, ADJUDGED and DECREED that the Plaintiff, Dana J. Owings, pay the cost of these proceedings.


Judge

Filed - April 5, 1971

LRP 4 521

DORIS FAYE HOKE : No. 12053 Equity
Plaintiff : in the
vs : Circuit Court
HERBERT H. HOKE : for
Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 5th day of April, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Doris Faye Hoke, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Herbert H. Hoke; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Dawn Marie Hoke and Pamela Lynn Hoke, the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Doris Faye Hoke, with the right unto the Defendant, Herbert H. Hoke, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Herbert H. Hoke, pay direct unto the Plaintiff, Doris Faye Hoke, the sum of \$15.00 per week per child, for a total of \$30.00 per week, toward their support, subject to the further Order of this Court; and

It is further ORDERED that the pertinent parts of the agreement by and between the parties hereto dated February 13, 1969, and filed in this cause of action, be and they are hereby approved and made a part hereof as if fully set forth herein;

And it is further ORDERED that the Plaintiff, Doris Faye Hoke, pay the cost of these proceedings.

Filed - April 5, 1971

E. C. Ward, Jr.
Judge

LRP 4 522

CALVIN L. PALMER : No. 12063 Equity
Plaintiff : in the
vs : Circuit Court
SYLVIA M. PALMER : for
Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 5th day of April, Nineteen Hundred and Seventy-one, that the above named Plaintiff, Calvin L. Palmer, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Sylvia M. Palmer; and

It is further ORDERED that the Plaintiff, Calvin L. Palmer, pay the costs of these proceedings.

E. C. Ward, Jr.
Judge

Filed - April 5, 1971

LRP 4 523

SANDRA G. JOHNSON : No. 12073 Equity
Plaintiff : in the
vs : Circuit Court
RICHARD M. JOHNSON : for
Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 5th day of April, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Sandra G. Johnson, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Richard M. Johnson; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Sandra G. Johnson, pay the costs of these proceedings.


Judge

Filed - April 5, 1971

LRP 4 524

HOWARD C. SAUERS : No. 11971 Equity
Plaintiff : in the
vs : Circuit Court
PATRICIA L. SAUERS : for
Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 16th day of April, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Howard C. Sauers, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Patricia L. Sauers; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Denise Sauers, Christine Sauers and Sean Sauers, infant children of the parties hereto, be and it is hereby awarded unto the Defendant, Patricia L. Sauers, with the right unto the Plaintiff, Howard C. Sauers, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Howard C. Sauers, pay direct unto the Defendant, Patricia L. Sauers, the sum of \$12.00 per week per child, for a total of \$36.00 per week, for their support; subject to the further Order of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the pertinent terms of the agreement by and between the parties hereto dated January 28, 1971 and filed in this cause of action, be and they are hereby approved and made a part hereof as if fully set forth herein; and

Filed - April 16, 1971

USE 4 525

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Howard C. Sauer, pay \$100.00 to William A. Swisher, Esquire, attorney for the Defendant, for counsel fee; and

It is further ORDERED that the Plaintiff pay the cost of these proceedings.


Judge

USE 4 526

NORMA J. SMITH	:	No. 11958 Equity
Plaintiff	:	in the
vs	:	Circuit Court
ROBERT E. SMITH, JR.	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 21st day of April, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Norma J. Smith, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Robert E. Smith, Jr.; and

It is further ADJUDGED, ORDERED and DECREED that the Guardianship and custody of Lisa Ann Smith, the infant child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Norma J. Smith, with the right unto the Defendant, Robert E. Smith, Jr., to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Robert E. Smith, Jr., pay direct to the Plaintiff, Norma J. Smith, the sum of \$15.00 per week toward the support of the minor child, subject to the Further Orders of this Court; and

It is further ORDERED that the Plaintiff, Norma J. Smith, pay the cost of these proceedings.


Judge

Filed - April 21, 1971

CHERYL LEE KEITH : In. 12066 Equity
Plaintiff : in the
vs. : Circuit Court
FRED GORDON KEITH : for
Defendant : Carroll County

DECREE

This case standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

AND IT IS ORDERED this 22nd day of April, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Cheryl Lee Keith, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Fred Gordon Keith; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Tenny Lynn Keith and Tina Louise Keith, the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Cheryl Lee Keith, with the right unto the Defendant, Fred Gordon Keith, to visit said children at reasonable times and under proper circumstances, all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Fred Gordon Keith, pay direct unto the Plaintiff, Cheryl Lee Keith, the sum of \$17.50 per week per child, for a total of \$35.00 per week, (through the Clerk of the Circuit Court for Carroll County), toward the support of the minor children, subject to the further Order of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Fred Gordon Keith, pay \$250.00 to G. Edwin Robertson, Esquire, attorney for the Plaintiff, for counsel fee; and

It is further ORDERED that the Defendant, Fred Gordon Keith, pay the cost of these proceedings.

E. O. Weant, Jr.
JUDGE

Filed-April 22, 1971

ANGELO FASANO * IN THE
Plaintiff * CIRCUIT COURT
vs. * FOR
ISABELLA M. FASANO * CARROLL COUNTY
Defendant * IN EQUITY

Docket 22
Folio 179
File No. 12070

DECREE OF DIVORCE

This case having come on for hearing in open Court, testimony having been taken and the papers having been read and considered, it is this 23rd day of April, 1971, by the Circuit Court for Carroll County,

ADJUDGED, ORDERED AND DECREED, that Plaintiff, Angelo Fasano, be and he is hereby DIVORCED A VINCULO MATRIMONII from the Defendant, Isabella M. Fasano.

AND IT IS FURTHER ADJUDGED, ORDERED AND DECREED, that the Agreement dated July 7, 1969 and Amended as of February 15, 1971 and filed herein, be and the same is hereby approved, and by reference, incorporated in this Decree, and, in accordance therewith, the Defendant shall have the guardianship and custody of Darlene Angelo Fasano, minor child of the parties, with the right to the Plaintiff to visit said minor child at all reasonable times, and as more specifically set forth in said Agreement, all subject to the further Order of this Court in the premises.

AND IT IS FURTHER ADJUDGED, ORDERED AND DECREED, that no right of alimony shall accrue to the Defendant from the Plaintiff by virtue of her express waiver thereof in the aforesaid Agreement.

AND IT IS FURTHER ADJUDGED, ORDERED AND DECREED, that the Plaintiff, Angelo Fasano, pay the costs of these proceedings.

E. O. Weant, Jr.
JUDGE

Filed-April 23, 1971

CLIFTON B. SOTHORON : No. 12071 Equity
 Plaintiff : in the
 vs : Circuit Court
 SUZANNE PAULINE SOTHORON : for
 Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 3rd day of May, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Clifton B. Sothoron, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Suzanne Pauline Sothoron; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Clifton B. Sothoron, Jr. and Randall Warren Sothoron, the infant children of the parties hereto, be and it is hereby awarded unto the Plaintiff, Clifton B. Sothoron, with the right unto the Defendant, Suzanne Pauline Sothoron, to visit said children at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ORDERED that the Plaintiff, Clifton B. Sothoron, pay the cost of these proceedings.


 Judge

Filed May 3, 1971

MARYANNE SWANNER : No. 12094 Equity
 Plaintiff : in the
 vs : Circuit Court
 ROBERT W. SWANNER : for
 Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 11th day of May, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Maryanne Swanner, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Robert W. Swanner, and that the question of child support be and it is hereby reserved for future consideration; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Michelle Lynn Swanner, the minor child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Maryanne Swanner, with the right unto the Defendant, Robert W. Swanner, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ORDERED that the Plaintiff, Maryanne Swanner, pay the cost of these proceedings.


 Judge

Filed May 11, 1971

WILLIAM E. SMALLWOOD : No. 12072 Equity
 Plaintiff : in the
 vs : Circuit Court
 ALICE VIRGINIA SMALLWOOD : for
 Defendant : Carroll County

DECREE

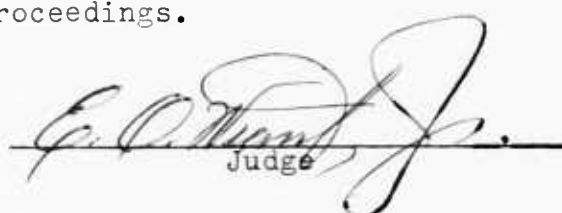
This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 18th day of May, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, William E. Smallwood, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Alice Virginia Smallwood; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, William E. Smallwood, pay direct unto the Defendant, Alice Virginia Smallwood, the sum of \$150.00 per month alimony, subject to the further Order of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the pertinent parts of the Separation Agreement by and between the parties hereto dated July 2, 1969 and filed in this cause of action, be and it is hereby approved and made a part hereof as if fully set forth herein; and

It is further ORDERED that the Plaintiff, William E. Smallwood, pay the cost of these proceedings.


 Judge

Filed - May 18, 1971

LUCINDA M. FRINGER : No. 12079 Equity
 Plaintiff : in the
 vs : Circuit Court
 KENNETH E. FRINGER : for
 Defendant : Carroll County

DECREE

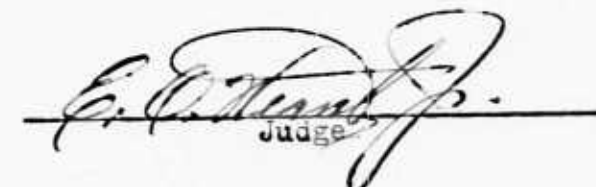
This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 18th day of May, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Lucinda M. Fringer, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Kenneth E. Fringer; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Kenneth Eugene Fringer, Jr., the infant child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Lucinda M. Fringer, with the right unto the Defendant, Kenneth E. Fringer, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Kenneth E. Fringer, pay direct unto the Plaintiff, Lucinda M. Fringer, the sum of \$15.00 per week toward the support of the infant child, subject to the further Order of this Court; and

It is further ORDERED that the Plaintiff pay the cost of these proceedings.


 Judge

Filed - May 18, 1971

CAROL D. MILLNER		NO. 12093 EQUITY
Plaintiff		IN THE
-v-		CIRCUIT COURT
GLENN S. MILLNER		FOR
Defendant		CARROLL COUNTY

OPINION AND DECREE

The Plaintiff, Carol D. Millner, has filed suit for divorce a mensa et thoro against the Defendant, Glenn S. Millner, alleging abandonment on the part of the said Defendant. She is also seeking the care and custody of the infant children born to the parties as well as alimony for herself and support for said children. The Defendant denies the abandonment and alleges that the separation of the parties was by mutual agreement.

There is little argument that the parties have been living separate and apart since August 11, 1970. The contention arises over whether or not the separation was by mutual agreement or whether the Defendant abandoned the Plaintiff as she alleges. It appears to us that the Defendant did in fact leave the Plaintiff on the 11th of August of his own accord and without any agreement on the part of the Plaintiff. It seems that it was his idea to enter into a separation agreement several days after he left the marital abode. We cannot find from the evidence that the Plaintiff ever mutually agreed to the separation. It is our opinion that there was a combination of reasons which caused the Defendant to leave the Plaintiff. First, there is every indication that he was interested in some other girl or girls. Second, he was disturbed by the children. He made it abundantly clear

Filed May 29, 1971

that he didn't want the children to come to his place of business because it upset him. He went so far as to say that the visits of the children became unbearable.

Although the Defendant returned home on one occasion after he left on August 11, we do not find that the parties had marital relations after that date. It is our opinion that the Defendant did desert his wife on August 11, 1970. We find no mutual agreement as far as the Plaintiff was concerned. At most she acquiesced to a separation which was not of her making nor voluntary on her part. We do not find that the separation ever became voluntary on the part of the Plaintiff. This is apparently a situation which involves the mere acquiescence in the separation by Carol D. Millner for reasons that she could not prevent Glenn S. Millner from leaving their home. We do not understand that she wanted her husband to leave but we do understand that she could not force him to stay. Such acquiescence or assent to what one cannot prevent does not amount to a voluntary separation. Sullivan v. Sullivan, 234 Md. 67; Stumpf v. Stumpf, 228 Md. 350; Moran v. Moran, 219 Md. 399.

The Plaintiff is seeking the care and custody of the infant children of the parties. Since we cannot find that she is unfit to take care of these children, we will award them to her. We will also award the Plaintiff support for the said children and counsel fee. In awarding these sums we will take into consideration the expenses of the parties and the fact that the Defendant has a net income of approximately \$150.00 a week while the Plaintiff nets \$81.50 per week.

It is thereupon, this 27th day of May, 1971, by the

WILLIAM E. SMALLWOOD : No. 12072 Equity
 Plaintiff : in the
 vs : Circuit Court
 ALICE VIRGINIA SMALLWOOD : for
 Defendant : Carroll County

DECREE

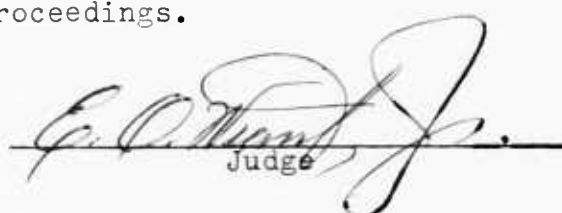
This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 18th day of May, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, William E. Smallwood, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Alice Virginia Smallwood; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, William E. Smallwood, pay direct unto the Defendant, Alice Virginia Smallwood, the sum of \$150.00 per month alimony, subject to the further Order of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the pertinent parts of the Separation Agreement by and between the parties hereto dated July 2, 1969 and filed in this cause of action, be and it is hereby approved and made a part hereof as if fully set forth herein; and

It is further ORDERED that the Plaintiff, William E. Smallwood, pay the cost of these proceedings.


 Judge

Filed - May 18, 1971

LUCINDA M. FRINGER : No. 12079 Equity
 Plaintiff : in the
 vs : Circuit Court
 KENNETH E. FRINGER : for
 Defendant : Carroll County

DECREE

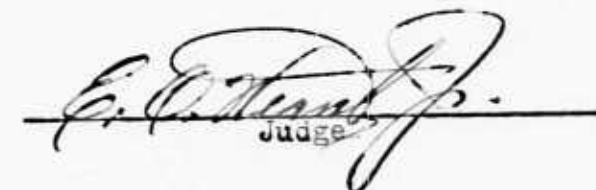
This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 18th day of May, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Lucinda M. Fringer, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Kenneth E. Fringer; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Kenneth Eugene Fringer, Jr., the infant child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Lucinda M. Fringer, with the right unto the Defendant, Kenneth E. Fringer, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Kenneth E. Fringer, pay direct unto the Plaintiff, Lucinda M. Fringer, the sum of \$15.00 per week toward the support of the infant child, subject to the further Order of this Court; and

It is further ORDERED that the Plaintiff pay the cost of these proceedings.


 Judge

Filed - May 18, 1971

4 539

DORIS VIRGINIA HOOVER : No. 12085 Equity
Plaintiff : in the
vs : Circuit Court
CHARLES FRANKLIN HOOVER : for
Defendant : Carroll County

DECREE

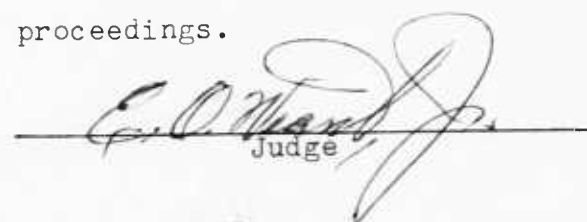
This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 18th day of May, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Doris Virginia Hoover, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Charles Franklin Hoover; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Michael Dean Hoover, the minor child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Doris Virginia Hoover, with the right unto the Defendant, Charles Franklin Hoover, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ADJUDGED, ORDERED and DECREED that the Defendant, Charles Franklin Hoover, pay to the Plaintiff through the Clerk of the Court, the sum of \$15.00 per week toward the support of the child, subject to the further Order of this Court; and

It is further ORDERED that the Defendant, Charles Franklin Hoover, pay the cost of these proceedings.


Judge

Filed - May 18, 1971

4 540

VANNIE LOUISE SELLERS : No. 12106 Equity
Plaintiff : in the
vs : Circuit Court
JOSEPH R. SELLERS : for
Defendant : Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 18th day of May, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Vannie Louise Sellers, be and she is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Joseph R. Sellers; and

It is further ORDERED, ADJUDGED and DECREED that the name of the Plaintiff, Vannie Louise Sellers, be and the same is hereby changed to Vannie Louise Murray, her maiden name before her marriage to the Defendant; and

It is further ORDERED that the Plaintiff, Vannie Louise Sellers, pay the cost of these proceedings.


Judge

Filed - May 18, 1971

DEP 4 PAGE 541

FRANK DAVID SOWERS	:	No. 11671 Equity
Plaintiff	:	in the
vs	:	Circuit Court
ALICE MARIE SOWERS	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 20th day of May, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Frank David Sowers, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Alice Marie Sowers; and

It is further ADJUDGED, ORDERED and DECREED that the Plaintiff, Frank David Sowers, pay the cost of these proceedings.


Judge

Filed May 20, 1971

DEP 4 PAGE 542

LAWRENCE WILLIAM KLEIN	:	No. 12129 Equity
Plaintiff	:	in the
vs	:	Circuit Court
RUTH ETTA KLEIN	:	for
Defendant	:	Carroll County

DECREE

This cause standing ready for hearing and being submitted by the Plaintiff, the proceedings were read and considered by the Court:

WHEREUPON IT IS ORDERED this 28th day of May, Nineteen Hundred and Seventy-one, that the above-named Plaintiff, Lawrence William Klein, be and he is hereby divorced "A VINCULO MATRIMONII" from the Defendant, Ruth Etta Klein; and

It is further ADJUDGED, ORDERED and DECREED that the guardianship and custody of Victoria Ruth Klein, the infant child of the parties hereto, be and it is hereby awarded unto the Plaintiff, Lawrence William Klein, with the right unto the Defendant, Ruth Etta Klein, to visit said child at reasonable times and under proper circumstances; all subject, however, to the continuing jurisdiction of this Court; and

It is further ORDERED that the Plaintiff, Lawrence William Klein, pay the cost of these proceedings.


Judge

Filed - May 25, 1971

CARL LOUIS GRAYSON	I	NO. 12092 EQUITY
Plaintiff	I	IN THE
-v-	I	CIRCUIT COURT
SHIRLEY E. GRAYSON	I	FOR
Defendant	I	CARROLL COUNTY

OPINION AND DECREE

In this case Carl Louis Grayson, Plaintiff, has filed suit for divorce from Shirley E. Grayson, the Defendant. He also seeks the custody and guardianship of the minor children of the parties. The Plaintiff alleges adultery on the part of the Defendant.

The proof shows that the parties were married October 31, 1952, and that four children were born as a result of this marriage. It also shows that the parties have been living separate and apart as a result of a voluntary separation agreement dated June 19, 1970, and that the children have been living with the Defendant since that time. The proof further shows that the Defendant and her paramour have had the opportunity and apparently the disposition, according to the Defendant's own admission, to commit adultery. While, as in most cases, there are no eye-witnesses to the adultery, there is sufficient proof to convince a reasonable person that the Defendant has committed adultery.

Although the paramour was at one time living in the home of the Defendant, the proof shows that this is no longer the case. Since we have no other evidence that the Defendant is an unfit mother and since the Court of Appeals has held many times that preference should be given to the mother in custody

Filed - May 28, 1971

cases where she is not shown to be unfit, we will be guided by this direction and award the custody of the children to her.

The separation agreement calls for the payment of \$22.50 per week per child by the Plaintiff to the Defendant for their maintenance and support. However, considering the income of the Plaintiff and also the fact that we are not bound by this agreement, we will require the Plaintiff to pay to the Defendant for the support of the children the sum of \$20.00 per week per child until such child shall have attained the age of 21 years, marry, becomes self-supporting or die, whichever shall first occur.

It is thereupon, this 26th day of May, 1971, by the Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that Carl Louis Grayson, Plaintiff, be, and he is hereby, divorced a vinculo matrimonii from Shirley E. Grayson, Defendant. It is further ORDERED that the custody and guardianship of Keith L. Grayson, Craig W. Grayson, Cynthia L. Grayson and Linda L. Grayson be awarded to Shirley E. Grayson and that Carl Louis Grayson pay unto the said Shirley E. Grayson, through the Clerk of the Circuit Court for Carroll County, the sum of Twenty Dollars (\$20.00) per week per child for support and maintenance until such child shall have attained the age of 21 years, marry, becomes self-supporting or die, whichever shall first occur. It is further ORDERED that the said Carl Louis Grayson shall have the right of reasonable visitation with the children at or away from the home of Shirley E. Grayson.

It is further ORDERED that Carl Louis Grayson pay the costs of these proceedings, as taxed by the Clerk of this Court.

[Signature]
Associate Judge

CAROL D. MILLNER	§	NO. 12093 EQUITY
Plaintiff	§	IN THE
-v-	§	CIRCUIT COURT
GLENN S. MILLNER	§	FOR
Defendant	§	CARROLL COUNTY

OPINION AND DECREE

The Plaintiff, Carol D. Millner, has filed suit for divorce a mensa et thoro against the Defendant, Glenn S. Millner, alleging abandonment on the part of the said Defendant. She is also seeking the care and custody of the infant children born to the parties as well as alimony for herself and support for said children. The Defendant denies the abandonment and alleges that the separation of the parties was by mutual agreement.

There is little argument that the parties have been living separate and apart since August 11, 1970. The contention arises over whether or not the separation was by mutual agreement or whether the Defendant abandoned the Plaintiff as she alleges. It appears to us that the Defendant did in fact leave the Plaintiff on the 11th of August of his own accord and without any agreement on the part of the Plaintiff. It seems that it was his idea to enter into a separation agreement several days after he left the marital abode. We cannot find from the evidence that the Plaintiff ever mutually agreed to the separation. It is our opinion that there was a combination of reasons which caused the Defendant to leave the Plaintiff. First, there is every indication that he was interested in some other girl or girls. Second, he was disturbed by the children. He made it abundantly clear

Filed May 29 1971

that he didn't want the children to come to his place of business because it upset him. He went so far as to say that the visits of the children became unbearable.

Although the Defendant returned home on one occasion after he left on August 11, we do not find that the parties had marital relations after that date. It is our opinion that the Defendant did desert his wife on August 11, 1970. We find no mutual agreement as far as the Plaintiff was concerned. At most she acquiesced to a separation which was not of her making nor voluntary on her part. We do not find that the separation ever became voluntary on the part of the Plaintiff. This is apparently a situation which involves the mere acquiescence in the separation by Carol D. Millner for reasons that she could not prevent Glenn S. Millner from leaving their home. We do not understand that she wanted her husband to leave but we do understand that she could not force him to stay. Such acquiescence or assent to what one cannot prevent does not amount to a voluntary separation. Sullivan v. Sullivan, 234 Md. 67; Stumpf v. Stumpf, 228 Md. 350; Moran v. Moran, 219 Md. 399.

The Plaintiff is seeking the care and custody of the infant children of the parties. Since we cannot find that she is unfit to take care of these children, we will award them to her. We will also award the Plaintiff support for the said children and counsel fee. In awarding these sums we will take into consideration the expenses of the parties and the fact that the Defendant has a net income of approximately \$150.00 a week while the Plaintiff nets \$81.50 per week.

It is thereupon, this 27th day of May, 1971, by the

Circuit Court for Carroll County, in Equity, ADJUDGED, ORDERED and DECREED that Carol D. Millner, Plaintiff, be, and she is hereby, divorced a mensa et thoro from Glenn S. Millner, Defendant. It is further ORDERED that the care and custody of Susan Millner, Donald Millner and Karen Millner, the three children born to the parties, be awarded to Carol D. Millner with the right of reasonable visitation with said children to Glenn S. Millner and that the said Glenn S. Millner pay unto the said Carol D. Millner, through the Clerk of the Circuit Court for Carroll County, the sum of Twenty Dollars (\$20.00) per week per child, or a total of Sixty Dollars (\$60.00) per week for the support of Susan Millner, Donald Millner and Karen Millner, until each child reaches the age of 21 years, dies, marries, or becomes self-supporting, whichever event shall first occur. (The Court will reserve the award of alimony in light of the Plaintiff's earnings.) It is also ORDERED that the said Glenn S. Millner pay unto the said Carol D. Millner the sum of One Hundred Dollars (\$100.00) towards the fee for the Plaintiff's attorney.

It is further ORDERED that the Defendant, Glenn S. Millner, pay the costs of these proceedings, as taxed by the Clerk of this Court.


Associate Judge.